

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71529 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- PARASBIGHA District- Jehanabad

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RANJAN KUMAR S/O SARWAN KUMAR Resident of village- Babu
Amauna, P.S.- Daud Nagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-03-2023 Heard learned counsel appearing on behalf of the

parties.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Parasbigha P.S. Case No. 114 of 2021 registered for the offence
under Sections 363, 366A, 341, 323, 307, 504, 506 and 34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.09.2022.

The allegation against the petitioner is to assault
informant and his father along with other named co-accused
person, namely, Roshan Kumar, who alleged to kidnap the
minor daughter of the informant, aged about 16 years, for the



purpose of illicit intercourse.

Learned counsel appearing on behalf of the petitioner submitted that allegation as regard to assault is appearing very much general and omnibus against this petitioner, where, father of informant received simple injury and informant himself received a single injury, creating a doubt on the face of allegation as regard to collective assault, raised through the present FIR. It is submitted that allegation as raised for kidnapping and sexual assault is specifically available against other co-accused, namely, Raushan Kumar and not against this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation as regard to assault is very much general and omnibus against this petitioner, where, allegation of kidnapping and sexual assault is available against other co-accused person, namely, Raushan Kumar coupled with the fact



that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Parasbigha P.S. Case No. 114 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VI-cum-Special Judge (POCSO) Act, Jehanabad/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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