

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1881 of 2023

Arising Out of PS. Case No.-110 Year-2016 Thana- MAHILA P.S. District- Muzaffarpur

1. AKASH KUMAR BITTU @ AKASH KUMAR @ BITTU @ AKASH KUMAR Son of Late Sudhir Kumar Resident of Mohalla - Kanhaulimath Muskan Band Gali, C/o Roshan Kumar, Police Station - Mithanpura, District - Muzaffarpur.
2. Avhinav Verma @ Shanu @ Abhinav Raj Son of Mahamaya Prasad Resident of Mohalla - Kanhaulimath Muskan Band Gali, C/o Roshan Kumar, Police Station - Mithanpura, District - Muzaffarpur.
3. Ankita Raj @ Chhoti Wife of Akash Kumar @ Bittu @ Akash Kumar Bittu @ Akash Kumar Resident of Mohalla - Kanhaulimath Muskan Band Gali, C/o Roshan Kumar, Police Station - Mithanpura, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 448, 376, 511, 504, 506, 406, 379/34 IPC.

Allegedly, petitioner nos.1 and 2 entered the house of informant and threatened her. Petitioner no.2 torn her cloth, outraged her modesty and tried to commit rape upon her.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever



taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposes the prayer for bail by submitting that there is specific allegation against petitioner no.2 to have torn the cloth of informant and outraged her modesty.

Under the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner no.2 on bail. The prayer for grant of anticipatory bail on his behalf is rejected.

However, having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner nos.1 and 3, let them, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mahila P.S. Case No.110 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

