

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13396 of 2024

Arising Out of PS. Case No.-21 Year-2023 Thana- SC/ST District- Banka

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1. Baddo Singh Son of Late Kartik Singh Resident of Village- Baniyachak, P.S.- Dhoraiya, Dist.- Banka
 2. Nitish Kumar @ Nitish Singh Son of Pankaj Singh Resident of Village- Baniyachak, P.S.- Dhoraiya, Dist.- Banka
 3. Dilip Singh Son of Anami Singh Resident of Village- Baniyachak, P.S.- Dhoraiya, Dist.- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi Wife of Makeswar Paswan Resident of Village- Jotha, P.S.- Dhoraiya, Dist.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 15-07-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners apprehend their arrest in connection with Banka SC/ST P.S. Case No.21 of 2023 registered for the offence under Sections 147, 149, 448, 341, 323, 307, 354(B), 380, 336, 109, 504, 506 of the Indian Penal Code and Section 8 of POCSO Act and Sections 3(i)(r)(s)(w), 3(2)(va) of the SC/ST (PoA) Act.

3. The allegation against the petitioners alongwith other co-accused persons is to have used to assault



the informant and others, who belongs to Dushad community. Further, it has been alleged that on 25.07.2023 scuffle taken place between students, where, petitioners along with other co-accused persons assaulted informant, namely, Rinku Devi and others by means of lathi, danda, stone, etc. and petitioners abused them by their caste name and also threatened to be ousted from the village. It has further been alleged that petitioners tried to outrage the modesty of Punam Devi.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in the present case. It is submitted that there is case and counter between the parties. It is also submitted that allegation as regard to abusing and snatching hand bag of the informant against the petitioners is general and omnibus in nature.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioners and submitted that if the privilege of anticipatory bail would be granted to the petitioners, the investigation will be affected.

6. In view of the submissions, as made above, as it appears from perusal of paragraph nos. 3, 4, 5, 9 and 10 of the case diary, other witnesses also supported the prosecution case and as it also appears from perusal of case record that some



of the victim of this case is minor, where, the act with the victim of the petitioners is wrongful and as this a very serious case, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the prayer for anticipatory bail of the petitioners is rejected herewith.

(Ramesh Chand Malviya, J)

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