

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24863 of 2024

Arising Out of PS. Case No.-522 Year-2023 Thana- NOORSARAI District- Nalanda

1. Banti Yadav @ Banti Kumar S/o Tinku Gope @ Pendar Kumar R/o vill - Dharampur, P.S. - Noorsarai, Distt. - Nalanda
2. Niraj Kumar S/o Horil Mahato @ Horil Prasad R/o vill - Dharampur, P.S. - Noorsarai, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Singh. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Noorsarai P.S. Case No. 522 of 2023 instituted under Sections 366(A), 341, 342, 323 and 34 of the Indian Penal Code and Sections 8/12 of the POCSO Act and Sections 3(i)(r)(s)/3(2)(v)(a) of the SC/ST Act.

3. As per the prosecution case, when the informant alongwith her sister were going for the nature call, all the accused persons including the petitioners took away the informant and her sister to their home by tiding mouth of the informant. On search being made by the family members of the



informant, accused Bunty Yadav and Rudal Yadav left the informant to her village on scooter.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to *Mukhiya* election. He further submits that there is no allegation that the petitioners have sexually assaulted the informant and the victim. The victim refused for her medical examination and thus no case is made out against the petitioners. He also submits that there is nothing material against the petitioners except the allegation made in the FIR. The petitioners have no criminal antecedent and they undertake to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned VIIth Additional District and Sessions Judge-cum-Special POCSO, Nalanda at Biharsharif / Concerned Trial Court



in connection with Noorsarai P.S. Case No. 522 of 2023, subject
to the conditions laid down in Section 438(2) of the Code of
Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashishkr/-

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

