

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51562 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- RAMNAGAR District- West Champaran

1. BIRENDRA YADAV SON OF LATE BASUDEV YADAV (WRONGLY STATED IN THE FIR AS S/O RAMAYAN YADAV) RESIDENT OF VILLAGE - DHANARPA, P.S. - RAMNAGAR, DISTRICT - WEST CHAMPARAN
2. UMESH YADAV SON OF BASUDEV YADAV RESIDENT OF VILLAGE - DHANARPA, P.S. - RAMNAGAR, DISTRICT - WEST CHAMPARAN
3. VIPUL YADAV SON OF RAJENDRA YADAV RESIDENT OF VILLAGE - DHANARPA, P.S. - RAMNAGAR, DISTRICT - WEST CHAMPARAN
4. KRISHNA SAH SON OF SHANKAR SAH (WRONGLY STATED IN THE FIR AS RAJENDRA SAH) RESIDENT OF VILLAGE - DHANARPA BAIKUNTHPUR, P.S. - RAMNAGAR, DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. 'X' WIFE OF BHULAN MANJHI MOTHER OF VICTIM, RESIDENT OF VILLAGE - SHEKHA MAHJIDWA, P.S. - MATIYA, DISTRICT - WEST CHAMPARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-08-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Ramnagar P.S. Case No. 161 of 2024 dated 12.04.2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506, 354B of the Indian Penal Code, Section 8 and 12 of



POCSO Act and Section 3(i)(r) and 3(i)(s) of SC/ST (POA) Act.

3. As per the prosecution case, on the occasion of Navratri, the petitioners and the co-accused persons along with 10 unknown persons are alleged to have started abusing the informant and minor girls by taking their caste name. The accused persons started dragging the informant and her minor girls and Mina Devi to Sareh for disgracing and tore the cloths due to which they became semi-naked. It is further alleged that some persons namely Pankaj Soni, Mina Devi, Rameshwar Yadav rushed to rescue then Virendra Yadav(petitioner no.2) and the co-accused Sampat Yadav assaulted on the head of Mina Devi with lathi with intent to kill due to which she sustained head injury. They also broke the hand of Rameshwar Yadav and assaulted the informant. In the meantime, Pankaj Soni came to rescue then he was also assaulted. The accused persons also tore the cloths of three minor girls after committing teasing. Thereafter, the injured were taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Learned counsel has further submitted that the case was compromised between the parties and the compromised petition(Annexure-3) was filed in this case which



is kept on record. As per the injury report of the injured persons, they sustained simple injury. The petitioners have no concern with the alleged offence. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 12.04.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 7th cum Special Judge, POCSO, Bettiah, West Champaran, in connection with Ramnagar. P.S. Case No. 161 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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