

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81053 of 2024

Arising Out of PS. Case No.-402 Year-2022 Thana- ARA NAWADA District- Bhojpur

1. Arun Kumar Singh Son of Bijay Kumar Singh R/o Village- Dariyapur, PS Udwantnagar, District Bhojpur, Arrah
2. Karn Kumar Singh @ Munna Kumar Singh Son of Bijay Kumar Singh R/o Village- Dariyapur, PS Udwantnagar, District Bhojpur, Arrah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 342, 323, 354B, 325, 504 read with Section 34 of IPC, 1860.

3. Allegedly, on 11.05.2022 at about 6:00 pm, when the informant was coming from market, petitioners intercepted her. They abused and physically assaulted her and tried to outrage her modesty.

4. 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. No such occurrence, in the manner as alleged, has ever taken place. The petitioners were granted benefit of Section 41A Cr.P.C. During the



investigation, petitioners cooperated and after investigation, police has filed chargesheet against the petitioners under Section 304/34, 354B and other Sections of the IPC. It is fairly submitted that maximum sentence prescribed for the alleged offence is less than 7 years. Petitioners have one criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and nature of offence, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioners are at liberty to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, without being prejudiced of this order and considering the order passed by the Apex Court in case of *Satendra Kumar Antil v/s. Central Bureau of Investigation & Anr.: (2022) 10 SCC 51*.

(Anjani Kumar Sharan, J)

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