

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84806 of 2023

Arising Out of PS. Case No.-148 Year-2021 Thana- SABAUR District- Bhagalpur

1. ADHIKLAL SINGH @ MANTU SINGH SON OF LATE TAPESHWAR SINGH @ TAPESWAR MANDAL RESIDENT OF VILLAGE- JITADIH, POLICE STATION- GOARDIH, DISTRICT- BHAGALPUR.
2. MUKESH KUMAR SON OF ADHIKLAL MANDAL @ MANTU SINGH RESIDENT OF VILLAGE- JITADIH, POLICE STATION- GOARDIH, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Yadav, Adv.
For the Opposite Party/s : Mr.Atul Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 379, 504, 506, 366(A) of the Indian Penal Code and later on, Section 8 of POCSO Act was added.

3. As per the FIR, all the accused persons including the petitioners are said to have come at the house of the informant and assaulted him brutally and also kidnapped his minor daughter.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case and specifically stated that she had gone with co-accused Karmjit Kumar with her own will and further solemnized marriage with him. There is no specific overt act against the petitioners. Similarly situated co-accused, namely, Karmjit Kumar has been enlarged on bail by a co-ordinate bench of this court vide order dated 31.08.2022 passed in Cr. Misc. No. 71180 of 2021. Petitioner no.1 has one criminal antecedent, whereas petitioner no.2 has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as the victim girl has not supported the prosecution case, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Sabour (Goradih) P.S. Case No. 148 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

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

