

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83253 of 2023

Arising Out of PS. Case No.-122 Year-2023 Thana- MUFFASIL District- Aurangabad

1. DHANJEET KUMAR @ DHANJIT KUMAR SON OF RAJKUMAR SAW
RESIDENT OF VILLAGE - KARMA BHAGWAN, P.S. - AURANGABAD
MUFFASIL, DISTRICT - AURANGABAD (BIHAR)
2. MANISH KUMAR SON OF RAJKUMAR SAW RESIDENT OF
VILLAGE - KARMA BHAGWAN, P.S. - AURANGABAD MUFFASIL,
DISTRICT - AURANGABAD (BIHAR)
3. ANKUSH KUMAR SON OF RAJKUMAR SAW RESIDENT OF
VILLAGE - KARMA BHAGWAN, P.S. - AURANGABAD MUFFASIL,
DISTRICT - AURANGABAD (BIHAR)
4. SHANI KUMAR @ SAMIR KUMAR SON OF BHUNESHWAR SAW
RESIDENT OF VILLAGE - KARMA BHAGWAN, P.S. - AURANGABAD
MUFFASIL, DISTRICT - AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal , Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 447, 341 , 323 , 324, 354, 354A , 504, 506 and 307 of the Indian Penal Code , 1860 and Section 8 , 17 of The Protection of Children from Sexual Offences Act, 2012.

3. The prosecution case, in brief, is that on the alleged date and time of occurrence, the granddaughter of the



informant was feeding cows, while all the accused persons, including these petitioners, came there, and petitioner No. 1 is alleged to have grabbed the hand of the granddaughter of the informant. On protest from the nephew of the informant (*Jitendra Kumar*), petitioner No. 2 assaulted him with a fighter weapon due to which he sustained injury. It is further alleged that all the accused persons also misbehaved with the granddaughter of the informant.

4. It is submitted on behalf of the petitioners that these petitioners have falsely been implicated in this case. Allegation of assault against petitioner No. 2 is general and omnibus and so far as other petitioners are concerned, there is no specific allegation alleged against these petitioners. The present case is counter case of Aurangabad Muffasil P. S. Case No. 121 of 2023 which was lodged by petitioner No. 2 against the informant and his family members. Rest of the allegations are super addition to make the case grave. Injury caused by petitioner no. 2 is found to be simple in nature . Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks



from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VIth – cum – Exclusive Special Judge , (POCSO Act), Aurangabad in connection with Aurangabad Mussafil P.S. Case No. 122 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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