

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.84317 of 2023

Arising Out of PS. Case No.-987 Year-2023 Thana- TURKAULIYA District- East Champaran

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1. Sadre Alam Son Of Ajmullah Ansari R/O Village- Shankar Saraiya Fateh Tola, Ward No. -02, P.S.- Turkauliya, Dist.- East Champaran
 2. Arshad Alam Son Of Samse Alam R/O Village- Shankar Saraiya Fateh Tola, Ward No. -02, P.S.- Turkauliya, Dist.- East Champaran. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Tukauliya P.S. Case No. 987 of 2023, registered for the offences punishable under Sections 341, 323, 324, 308, 379, 354B, 147, 504 and 506 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per allegation, on the alleged date and time of the occurrence, the accused persons came at the door of the informant and started abusive language and in consequence thereof they started brick bating on the door of the informant. It is also alleged that the accused persons having been caught the hair of informant's mother brought her on the road and started assaulting with fists and slaps. In course of occurrence, the accused persons tried to outrage the modesty of the informant. The ornaments worth Rs. 1,25,000/- and cash Rs. 7,000/- are also said to have



been taken away.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It has further been submitted that there is inordinate delay of about two days in lodging of the FIR. There is general and omnibus allegation. Both the parties are neighbors and the land dispute is admitted. It has also been submitted that there is no injury report to substantiate the allegation of assault.

5. Learned APP has opposed the prayer for anticipatory bail.

6. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned Additional Sessions Judge-VI-cum-Special Judge POCSO, East Champaran at Motihari in connection with Tukauliya P.S. Case No. 987 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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