

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37949 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

-
1. Jagdish Singh @ Jagdish Bind son of Narayan Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 2. Ramashish Bind son of Narayan Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 3. Chedi Bind @ Chhedi Bind Son of Late Jokhu Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 4. Shiv Kumar Bind @ Shivkumar Prasad Bind Son of Late Chhangur Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 5. Bishram Bind Son of Late Faujdar Bind @ Faudar Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 6. Ramchandra Bind son of Late Faujdar Bind @ Faudar Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 7. Akhilesh Bind Son of Ramashish Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 8. Jai Prakash Bind Son of Lilam Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 9. Chani Kumar Son of Ramchela Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua
 10. Ashok Bind Son of Chhedi Bind R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur At Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritu Kumari Daughter of Markandey Ram R/o Village -Shahpur P.S. -Bhagwanpur District- Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Ms. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-06-2025 1. Learned counsel for the petitioners seeks permission to make necessary correction in paragraph no. 3 of the anticipatory bail application in course of the day.
2. Permission is accorded.



3. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 10, namely, Ashok Bind.

4. Permission is accorded.

5. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 10 is dismissed as withdrawn.

6. Heard learned counsel for the petitioners no. 1 to 9 and learned A.P.P. for the State.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 109, 76 and 3(5) of the Indian Penal Code, Sections 8 and 12 of the POCSO Act as well as Sections 3(1) (Da), 3(1)(dha), 3(1)(W) and 3(2)(v) of the SC/ST Act.

8. Learned counsel for the petitioners submits that petitioners no. 1, 2, 3, 4, 5, 6 and 8 are persons with clean antecedent while petitioners no. 7 and 9 have antecedent of one case. It is further submitted that the informant alleges that on 08.02.2025 at about 04:00 p.m. while she was returning home along with her mother from her field when she was intercepted by Sohan Bind who dashed her on the ground and sexually assaulted her. On objection by her mother, the accused fled away thereafter when the victim's father came home, he along



with 5-6 persons went to the house of the accused persons to inquire about the matter when the accused assaulted the informant and his associates with lathi, spear and axe and also abused by taking caste name.

9. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that even presuming what has been alleged is true without admitting then the allegation of sexually assaulting of the informant is against Sohan Bind and the petitioners are family members of Sohan, as such, they have been falsely implicated in the instant case in order to coerce Sohan into submission. It is next submitted that even the allegation of assault is not specific and further in the nature of allegation no offence under the SC/ST Act is made out as the occurrence is not alleged to have taken place in public view nor the FIR remotely suggests that anyone heard the accused persons abusing the informant and his side by taking caste name.

10. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

11. Considering the submissions made by the learned counsel for the petitioners, let the petitioners no. 1 to 9



above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bhagwanpur P.S. Case No. 57 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

