

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83931 of 2024

Arising Out of PS. Case No.-512 Year-2024 Thana- HILSA District- Nalanda

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- 1 . Dharampal Mistri @ Dharampal Kumar @ Dharampa Kumar Son of Late Tuntun Mistri village- Brahamsthan, Ps- Hilsa, dist- Nalanda
 2. Mukesh Mistri @ Mukesh Kumar son of Suren Mistri village- Brahamsthan, Ps- Hilsa, dist- Nalanda

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. X Daughter of Sudhir Kumar @ Sudhir Prasad village- Brahamsthan, Ps- Hilsa, dist- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar , Advocate
For the Opposite Party/s : Mr. Yogendra Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2025 Heard learned counsel for the petitioners and the State . Despite filing vakalatnama , nobody appears on behalf of Opposite Party No. 2.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 126 (2), 191 (3) , 191 (2), 190, 115 (2), 75 (2), 75 (3) , 76, 78(2) and 352 of the BNS 2023 and 27 of Arms Act and 12 of POCSO Act.

3 . As per F.I.R., on the alleged date and time of occurrence , when informant was going to school, in the



meantime petitioner No. 1 came and pull her duppatta and petitioner No. 2 tried to kidnap her. It is further alleged that when father of informant went to the house of these petitioners to make complain regarding the same , all the accused persons including these petitioners assaulted informant and others.

4. It is submitted on behalf of the petitioners that both the parties are co-villagers and due to previous enmity these petitioners have falsely been implicated in this false and concocted case . The present case is counter blast of Hilsa P S Case No. 511 of 2024 under Section 126 (2)/ 352 of BNS and 27 of Arms Act in which the accused Sujit Kumar is the informant and father of the victim namely Sudhir Kumar and others were accused. Allegation of assault is general and omnibus. Injury allegedly caused by these petitioners are simple in nature . Petitioners claim clean antecedent.

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

6 Considering the nature of injury , clean antecedent of these petitioners and other circumstances of the case , in the event of arrest or surrender within eight 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
ADJ VII Cum Special Judge POCSO Nalanda at Biharsharif in
connection with Hilsa P.S. Case No. 512 of 2024 , subject to the
conditions laid down under section 482 (2) of the Bharatiya
Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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