

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2655 of 2015

Arising Out of PS.Case No. -358 Year- 2014 Thana -BASANTPUR District- SIWAN

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1. Hari Kishore Prasad S/o Late Ram Prit Prasad
 2. Nand Kishore Kushwaha @ Nand Kishore Pd. Kushwaha S/o Late Ram Prit Prasad, both are residents of village-Bhatwalia, P.S-Janta Bazar, Distt.-Chapra.
 3. Sanjay Kumar Yadav Son of Deo Narayan Yadav, resident of village - Jalalpur,P.S-Janta Bazar, Distt.-Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, petitioners are seeking bail in connection with Basantpur P.S. Case No. 358 of 2014 registered for offences under sections 363/376/341/323/420/374/34 of the Indian Penal Code and Sections 4/6/8/10/17 of the P.O.C.S.O. Act, 2012.

There is an allegation that Suresh Kumar is running an Arkesta Party and where the victim-girl was an employee. Allegation has been made that Suresh Prasad used to establish physical relationship forcibly. When she used to protest, she was used to abuse and assault badly.

Allegation has been made against the petitioners that at their instance, she was forcibly made to dance in a party on 15/12/2014, save and except, there is no allegation against these petitioners.

Allegation of forcibly establishing physical relationship has been made against Suresh Kumar.

The statement recorded under section 164 Cr. P.C. of the victim shows that main allegation has been made against Suresh Kumar who is owner of the Arkesta Party.

Looking to the facts and circumstances of the case, let the petitioners, above named, be released on bail on their furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-1st Additional Sessions Judge, Siwan in connection with Basantpur P.S. Case No. 358 of 2014, subject to the condition that the petitioners would co-operate in the proceeding of the court below.

(Shivaji Pandey, J)

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