

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19145 of 2015

Arising Out of PS.Case No. -476 Year- 2014 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Kamleshwar Paswan @ Kamleshwar Kumar S/o Sri Kuldeep Paswan
2. Kuldeep Paswan S/o Bindu Paswan
Both Resident of village - Rampur Chakoli, P.S. Mahua, District -
Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Vinod Kumar Sah S/o Rajendra Sah Resident of village - Rampur
Chakoli, P.S. Mahua, District - Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha
For the Opposite Party/s : Mr. Narsing Tanti (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Mahua P.S. Case No. 476 of 2014 registered for the offences
punishable under Sections 341, 323, 376, 511 of the Indian Penal
Code and Sections 8, 12, 18 of POCSO Act.

Petitioner no. 1 is said to have made attempt of rape
on a nine years old girl and so far as petitioner no. 2 is concerned,
it is alleged that when complain regarding the aforesaid incident
was made to him, he along with petitioner no. 1 started abusing
the informant and became adamant to assault him.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to grant the privilege of anticipatory bail to the petitioner no. 1, namely, Kamleshwar Paswan @ Kamleshwar Kumar and accordingly, his prayer for anticipatory bail in connection with Mahua P.S. Case No. 476 of 2014 stands rejected.

So far as petitioner no. 2 is concerned, it is ordered that petitioner no. 2, namely, Kuldeep Paswan, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I, Vaishali at Hajipur in Mahua P.S. Case No. 476 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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