

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51306 of 2015

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1. Shambhu Kumar, son of Sri Devnandan Prasad, Resident of village-
Maharajganj, P.S.- Maharajganj, District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.51949 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -MAHILA P.S. District- PATNA

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1. Md. Sarfaraj @ Md. Sarfaj, Son of Md. Rafid Khan, Resident of Kagaji
Mohalla, P.S.- Biharsharif, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.53234 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -MAHILA P.S. District- PATNA

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1. Rakesh Singh, Son of Late Ram Chandra Singh, resident of village- Purvi
Malahi, P.S.- Barh, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.51306 of 2015)

For the Petitioner/s : Mr. Krishna Chandra, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh(APP)

(In Cr.Misc. No.51949 of 2015)

For the Petitioner/s : Mr. Hansraj, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava (APP)

(In Cr.Misc. No.53234 of 2015)

For the Petitioner/s : Mr. Ujjwal Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Smt. Anita Kumari(APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 03-12-2015

These are the applications, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Shambhu Kumar, Md. Sarfaraj @ Md. Sarfaj and Rakesh Singh, in connection with Special (POCSO) Case No.124 of 2015, arising out of Mahila Police Station Case No. 41 of 2015, under Sections 290/372/373/376 of the Indian Penal Code and Sections 3/4/5/6 of Immoral Traffic Act read with 4/6 of POCSO Act.

Perused the above application and materials on record.

Heard Mr. Krishna Chandra, Mr. Hansraj and Mr. Ujjwal Kumar Sinha , learned Counsel for the petitioners, and Mrs. Indu Kumari Srivastava, Mr. Ashok Kumar Singh and Mrs. Anita Kumari, learned Additional Public Prosecutors, appearing on behalf of the State.

In view of the fact that the accused above-named have been in custody since 12.9.2015 in connection with the case aforementioned and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioners in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioners' liberty on bail would

adversely affect their trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties each, each of the like amount, subject to the satisfaction of learned 1st Additional Sessions Judge, Patna, in connection with Special (POCSO) Case No.124 of 2015, arising out of Mahila Police Station Case No. 41 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, these bail applications shall stand disposed of.

(I.A. Ansari, ACJ)

K.C.jha/-

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