

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37012 of 2014

Arising Out of PS.Case No. -78 Year- 2014 Thana -KADWA District- KATI HAR

1. Rabindra Kumar Son of Chandra Shekhar Singh Resident of Village - Begusarai, P.S. - Begusarai, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.38764 of 2014

Arising Out of PS.Case No. -78 Year- 2014 Thana -KADWA District- KATI HAR

1. Arun Mandal Son of Mahendra Mandal resident of village- Alam Nagar, Sonbarsa, P.S.- Alam Nagar, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.37012 of 2014)

For the Petitioner/s : Mr. Vikram Deo Singh,
Mr. Sada Nand Ray

For the Opposite Party/s Mr. Pushpa Sinha 2 (App)

(In Cr.Misc. No.38764 of 2014)

For the Petitioner/s : Mr. Sada Nand Ray
For the Opposite Party/s Mr. A.M.P. Mehta (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 23.01.2015 Both the above stated petitions arise out of Kadwa P.S. Case no. 78/2014 registered under sections 376(D), 302, 201/34 of the IPC, section 4 of the Protection of Children from Sexual Offences Act, 2012 and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners, learned Addl.

Public Prosecutor for the State as well as learned counsel for the informant.

Petitioners are named in the first information report but only suspicion has been raised against them on the ground that one day prior they had threatened the informant due to some altercation. In course of investigation, pant of the petitioner in Cr. Misc. no. 37012/2014 was seized and sent to Forensic laboratory but after examination neither any blood stain nor any semen were found on the pant of this petitioner.

Admittedly, none has seen the occurrence and dead body of the deceased was found near a field.

Considering the above stated facts and circumstances as well as submissions of the parties, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge I-cum- Special Judge, Katihar in Kadwa P.S. Case no. 78/2014 subject to the conditions that petitioners shall attend the learned trial court in person on each and every date for the period of nine months or till conclusion of their trial whichever is earlier and if they fail to do so on three consecutive dates without any reasonable explanation or make any attempt to tamper with the prosecution evidence, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners after due and proper enquiry.

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(Hemant Kumar Srivastava,J)

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