

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50935 of 2015

Arising Out of PS.Case No. -308 Year- 2015 Thana -BARHARIA District- SIWAN

- =====
1. Rajesh Kumar, son of Fulena Ram, resident of village-Bindwal, Police Station-Hussainganj, District-Siwan.
 2. Sujit Sah, son of Mahajan Sah, resident of village-Mahuwari, Police Station-Siwan Muffasil, District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 18-12-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Barharia P.S. Case No.308 of 2015 registered under Sections 3, 4, 5 and 6 of the Prevention of Immoral Traffic Act and Sections 4, 6 and 10 of the POCSO Act.

The prosecution case is that the police on receiving secret information, about carrying the minor girls by two persons for bad purposes and standing near Avraie Vidyalaya, reached there and on seeing the police, the two persons standing there started to flee away from there but they were apprehended by the police, who disclosed their name as Rajesh Kumar and Sujit Sah

(petitioners). At the alleged place, three minor girls were also found who disclosed their name as Naina Kumari, Khusbu Das and Khushi Das, and also disclosed that they were being carried by the aforesaid persons (petitioners) for bad purposes.

Learned counsel appearing on behalf of the petitioners submits that the petitioners have been arrested by the police on mere suspicion. During investigation, in their statements recorded under Section 164 of the Code of Criminal Procedure, the minor girls, namely, Naina Kumari, Khusbhu Das and Khushi Das, have stated that they are artists in an Orchestra Party and they were going in a programme of Orchestra Party and have stated nothing against these petitioners. The petitioners having no criminal antecedents are in custody since 19,09.2015.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I, Siwan, in connection with Baraharia P.S. Case No.308 of 2015. Out of the two sureties, one must be close relative of the petitioners, who will file an affidavit giving genealogy as to how they are related with the petitioners. The bailors will undertake to furnish information to the court about

any change in the address of the petitioners.

(Rajendra Kumar Mishra, J)

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