

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42428 of 2016

Arising Out of PS.Case No. -135 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Parmanand Sah S/o Raghunath Sah
2. Sanjeev Kumar
3. Rajeev Kumar Both are Sons of Parmanand Sah. All are residents of
village - Hat Saraiya, P.S. Bairiya, District - West Champaran....Petitioner/s
Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Advocate

For the Informant : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. Sri Prem Kumar Jha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 17-10-2016 Heard learned counsel for the petitioners, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Bairiya P.S. Case No. 135 of 2016, disclosing offences under
Sections 147, 148, 149, 323, 325, 354, 509 and 308 of the Indian
Penal Code and Section 10 of the POCSO Act.

Learned counsel for the petitioners, referring to the
First Information Report, has submitted that no offence under the
provisions of POCSO Act is made out against these petitioners on
the basis of POCSO, on the basis of the allegation made in the
First Information Report. It is his contention that the petitioners
have been implicated because of pending land dispute between the
father of the informant and the petitioner No. 1. Petitioners No. 2

and 3 are sons of petitioner No. 1. In this connection he has referred to statement made in paragraphs No. 9 and 10 of the present application.

Considering the submissions so advanced, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge Ist-cum- Special Judge, West Champaran at Bettiah in connection with Bairiya P.S. Case No. 135 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-c

U		T	
---	--	---	--