

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37794 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -SAHKUND District- BHAGALPUR

- =====
1. Pappu Gupta @ Pappu Gupa , son of Late Radhey Gupta
 2. Dablu Yadav @ Dablu Gupa, son of Biddi Yadav.
- Both resident of Village- Sarha, P.S. Sahkund, District- Bhagalpur.
- Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr.

For the Opposite Party : Mr. Sri Chaubey Jawahar

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioners and the

learned counsel representing the State.

The petitioners seek bail in connection with Sahkund
P.S Case No. 95 of 2016 registered for the offences punishable
under Section 376/34 of the Indian Penal Code and Section 4 of
POCSO (Prevention of Children from Sexual Offences) Act.

Allegedly, co-accused Nilu Yadav and Nand Kishore
Yadav entered into the room and forcibly dragged the victim from
the room after closing her mouth and after brining her at pond
started assaulting her and thereafter Nilu Yadav committed rape
with her and Nanad Kishore Yadav was catching her whereas the
petitioners were watching the conduct from a distance.
Submission is of false implication and that against the petitioners
there is no allegation, simply it has been stated that they

were working as C.I.D., without any fault they have been made victim of the circumstances, the petitioners are suffering in custody since 19.07.2016 and as such, petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of bail

In the facts and circumstances stated above, the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-I, Bhagalpur arising out of Sahkund P.S. Case No. 95 of 2016, (G.R. Case No. 1966 of 2016) subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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