

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38230 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Motilal Rai son of Late Bhola Rai
2. Sarita Devi wife of Pappu Kumar
3. Pappu Kumar son of Ramnath Rai
4. Ramha Devi @ Rambha Devi wife of Motilal Rai
All residents of Village- Bisunpur, P.S.- Kotwa, District- East
Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Binod Kumar 3

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-09-2016 Heard Sri Umesh Chandra Verma, learned counsel

for the petitioners and Sri Binod Kumar no.3, learned Addl. Public

Prosecutor.

Four petitioners, apprehending their arrest in Kotwa
P.S. Case No.45 of 2015 registered for the offence under Sections
363, 366A, 372, 387, 120B/34 of the Indian Penal Code and
Sections 3 and 4 of the Prevention of the Children from Sexual
Offences Act, have prayed for grant of anticipatory bail, primarily
on the ground that one of the co-accused, namely, Dukhit Das
having similar accusation, has been extended the privilege of
anticipatory bail by a Bench of this Court vide order dated

18.04.2016 passed in Cr.Misc.No.14083 of 2016.

Learned counsel for the petitioners submits that in the entire complaint petition, there is accusation against accused nos.1, 6 and 8. He submits that save and except arraying petitioners as accused in the complaint case, which was referred to register F.I.R., there is no other material to connect the petitioners.

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail of the petitioners. He submits that till date, the victim has not been recovered.

However, considering the fact that one of the accused, namely, Dukhit Das having similar accusation has been extended the privilege of anticipatory bail by a Bench of this Court, the Court is of the opinion that the petitioners may not be denied the same relief. Accordingly, let the aforesaid four petitioners, namely, (i) Motilal Rai (ii) Sarita Devi (iii) Pappu Kumar and (iv) Ramha Devi @ Rambha Devi, in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, East Champaran at Motihari in connection with Kotwa P.S. Case No.45/2015, subject to

conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

NKS/-

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

