

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7028 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -MAHILA P.S. District- BHAGALPUR

1. Shailesh Bind, son of Laltu Bind
2. Deepak Bind, son of Bhagrit Bind
3. Pawan Bind son of Bhanu Bind, All resident of Village- Bhirkhurd, P.O.-
Udahdih, P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha
For the Opposite Party/s : Mr. A.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 10-08-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Mahila (Bhagalpur) Police Station Case No. 61
of 2015, disclosing offences under Sections 354A/354D/34
and 341 of the Indian Penal Code and Section 8 of the
Protection of Children from Sexual Offence Act, 2012.

Learned Counsel for the petitioners has
submitted that the case of the prosecution , as narrated in
the First Information Report, is belied by the statements of
the witnesses, recorded by the Police, in course of
investigation. Whereas, in the First Information Report, it

has been alleged that the petitioners attempted to outrage the modesty of the informant and her friends at the point of dagger, from the statements, made in course of investigation, of the witnesses, it would appear that as a matter of fact, quarrel had taken place because the petitioners were objecting to the informant and her friends, who were defecating in the field.

I find substance in the submission made on behalf of the petitioners. This application is, accordingly, allowed.

Let the petitioners, namely, Shailesh Bind, Deepak Bind and Pawan Bind, 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Bhagalpur, in connection with Mahila (Bhagalpur) Police Station Case No. 61 of 2015, subject to the condition 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.

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

(Chakradhari Sharan Singh, J.)