

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42102 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -ROSHANGAANJ District- GAYA

- =====
1. Ram Vilas Prasad, son of Devki Prasad, Resident of Village- Juri, P.S. Baanke Bazaar, District- Gaya.
 2. Sonu Kumar, son of Ram Vilas Prasad, Resident of Village- Juri, P.S. Baanke Bazaar, District- Gaya.
 3. Vijay Prasad, son of Late Chandra Dev Mahto, Resident of Village- Kurmawan, P.S. Barachatti, District Gaya.
 4. Smt. Sujata Devi, wife of Vijay Prasad, Resident of Village- Kurmawan, P.S. Barachatti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sriram Krishna, Advocate.
For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in POCSO Case No. 26 of 2017 arising out of Roshanganj (Baankey Bazaar) P.S. Case No. 44 of 2017 instituted for the offence under Sections 120(B), 376/34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

It has been submitted that these petitioners are family members of Rakesh Kumar @ Rockey.

In the written report it is alleged that Rakesh Kumar @ Rockey and the informant were students of same college and



on the pretext of marriage, Rakesh Kumar @ Rockey, established physical relationship with her and when informant requested for marriage, he put vermilion (*Sindur*) on her head.

Learned counsel for the petitioners has submitted that now marriage has been solemnized between the informant and Rakesh Kumar and in support of such statement, marriage certificate has been filed as Annexure-2. These petitioners are family members of Rakesh Kumar.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with POSCSO Case No. 26 of 2017 arising out of Roshanganj (Baankey Bazaar) P.S. Case No. 44 of 2017, they shall be released on anticipatory 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 A.D.J. 1st-cum-Special Judge, (POCSO Act), Gaya, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two



consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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