

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32504 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -MAHILA P.S. District- NAWADA

- =====
1. Uday Yadav @ Uday Kumar, Son of Rambalak Yadav
 2. Shankar Yadav @ Shankar Kumar, Son of Upendra Yadav
- Both are residents of Village - Chatar, P.S. - Narhat, District - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate.
For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Nawada Mahila P.S. Case No. 12 of 2017 instituted for the offence under Sections 376(D), 114, 120(B), 34 of the Indian Penal Code and Section 4 of the POCSO Act.

As per written report there is specific allegation against co-accused Chandan Kumar of committing illegal act with the informant.

There is general and omnibus allegation against the petitioners. The statement of the victim girl under Section 164 Cr. P.C. has been recorded wherein she has levelled specific allegation against co-accused Chandan Kumar of committing illegal act with



her.

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 Nawada (Mahila) P.S. Case No. 12 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 Additional District and Sessions Judge, 1st, Nawada, 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.

(Sanjay Priya, J)

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