

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17795 of 2017

Arising Out of PS.Case No. -55 Year- 2016 Thana -MAHILA PS District- GAYA

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1. Umesh Das Son of Rambrikchh Das
 2. Birendra Das Son of Laxman Das Both residents of Village - Bageya,
P.S. - Imamganj, District – Gaya Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party : Mr. Kumar Uday Pratap, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 01-07-2017 The petitioners apprehend their arrest in a case under sections 376 and 313 of the IPC and under section 4 of the POCSO Act.

The informant, aged 14 years, alleged that one Akash Kumar committed rape on her and forced her for abortion when she became pregnant. In course of investigation, father of the girl alleged that petitioner and others were instrumental in making pressure for abortion of his daughter.

Learned counsel for the petitioner submits that there is no allegation against the petitioners even in the FIR or in the 164 Cr.P.C. statement of the girl. Besides this, victim got her pregnancy aborted on 12.7.2016 with the help of mother of said Akash Kumar. Most of the similarly situated accused persons have been enlarged on bail.

Having regard to the facts and circumstances of the case, in the event of arrest/surrender, let both the petitioners named above, be released on bail on furnishing bail bond of Rs.5000/- each with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-1 cum Special Judge, POCSO Act), Gaya in POCSO Case No.36 of 2016 (Mahila Police Station case no. 55 of 2016.

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(Samarendra Pratap Singh, J)

