

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23240 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -DHANARUA District- PATNA

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1. Saroja Devi, W/o Pramod Kumar @ Bhola Yadav
2. Pramod Kumar @ Bhola Yadav, S/o Baijnath Prasad
3. Pushpa Kumari, D/o Pramod Kumar @ Bhola Yadav

All are residents of Patharhat, P.O. - Patharhat, P.S. - Dhanaura, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durga Narayan, Advocate.

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Dhanarua P.S. Case No. 140 of 2017 instituted for the offence under Sections 341, 323, 376, 504 of the Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act, 2012.

As per written report there is specific allegation against co-accused Sujit Kumar of committing rape with the informant.

The informant in her statement under Section 164 Cr. P.C. has not levelled any specific allegation against these petitioners. Petitioners are father, mother and sister of Sujit



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 Dhanarua P.S. Case No. 140 of 2017 arising out of Special POCSO Act, 47 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 Additional District and Sessions judge-1st, Patna, 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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