

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37721 of 2017**

Arising Out of PS.Case No. -206 Year- 2016 Thana -KHAJEKALLAN District- PATNA

- =====
1. Mahesh Prasad,
  2. Raju Prasad @ Raju Kumar
  3. Kaju Prasad @ Kaju Kumar All Sons of Sukhdeo Prasad, R/o Mohalla-Mirgulabibagh Kelbari, P.S.- Khajekalan, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anang Mohan Sinha, 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**

3      25-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Khajekalan P.S.

Case No. 206 of 2016 instituted for the offence under Sections 341, 448, 323, 354, 506, 34 of the Indian Penal Code and Section 10 of POCSO Act.

It has been submitted on behalf of the petitioners that father of the informant and father of these petitioners are own brothers. The informant is cousin sister of the petitioners. There is dispute with regard to drainage of water, for which, cases are pending between them.

As per written report there is general and omnibus allegation against these petitioners that they misbehaved with the informant while she was going to school by saying that she is daughter



of Lala Prasad and her mother has filed case against him.

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 Khajekalan P.S. Case No. 206 of 2016, 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 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, POCSO, Patna City, 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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