

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40644 of 2017

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

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1. Krishna Das, Son of Ram Brikchh Das,
2. Vikash Das Son of Krishna Das,
3. Kiran Devi W/o Krishna Das, All R/o Village- Begeya, P.S.- Imamganj,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in a case instituted
for the offences under Sections 376 and 313 of the Indian Penal
Code and Section 4 of POCSO Act.

As per the First Information Report it appears that the
victim used to go to her School, one Akash Kumar used to call
her in his house and forcibly established physical relationship.
Thereafter she became pregnant. Allegation has been made that
Akash Kumar has told her to get the pregnancy aborted, then he
will marry with her. The police investigated the case and
submitted the final form. Allegation has been made that



petitioners have co-operated in abortion of the victim.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Krishna Das, Vikash Das and Kiran Devi, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.D.J. Ist-cum-Special Judge (POCSO) Act), Gaya in connection with POCSO Case No.36 of 2016 of Mahila P.S. Case No.55 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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