

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38430 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -PARAIYA District- GAYA

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1. Ajay Kumar, Son of Umesh Yadav. null
2. Nagendra @ Nagendra Kumar, Son of Pitambar Yadav, Both are
Resident of village- Boknari, Police Station- Paraiya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2017 Heard the parties.

The petitioners are apprehending arrest in connection with POCSO Case No.10 of 2017 arising out of Paraiya P.S.Case No.13 of 2017, registered for offences punishable under Sections 341, 323, 354(A), 354(B), 506, 509 and 34 of the Indian Penal Code.

Allegation against the petitioners is of drawing forcibly to take daughter of the informant inside the house and also to assault.

Submission of the learned counsel for the petitioners is that as a matter of fact the petitioners had gone to take books from the daughter of the informant as they are student of the same school and in course of the same scuffle took place and intention of the petitioner is not to outrage modesty of the girl.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 1st-cum-Special Judge (POCSO) Act) Gaya in connection with POCSO Case no.10 of 2017 arising out of Paraiya P.S.Case No.13 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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