

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39563 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -MARAUNA District- SUPAUL

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1. Shanti Devi, W/o Jugut Lal Mukhiya,
2. Fulo Devi w/o Dhanik Lal Mukhiya,
3. Fouvdar Mukhiya @ Foudar mukhiya, Son of Late Niras Mukhiya,
4. Gulab Devi W/o Foudar Mukhiya,
5. Shobhit Lal Mukhiya Son of Foudar Mukhiya,
6. Manik Lal Mukhiya Son of Foudar Mukhiya, All R/o Village- Jhingwa Jhingwa, P.S.- Marauna, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in Marauna P.S.Case No. 53 of 2017 (POCSO-10/2017) registered for offences punishable under Sections 341, 323, 448, 379, 376, 511, 504 and 506/34 of the Indian Penal Code and Section 8 of POSCO Act.

The prosecution case is that the daughter of the informant, Kanchan Kumari went to cut grass alongwith Rinku Kumari and Puja Kumari. In the meantime, some accused persons



send her to serve water to one, Ramdas Mukhiya where he caught her tried to commit rape.

It has been submitted that there are altogether eight named F.I.R. accused and specific allegation against Ramdas Mukhiya is that he tried to commit rape upon the daughter of the informant. It is also submitted that these petitioners are neighbors of Ramdas Mukhiya, who allegedly entered into the house of the informant and assaulted him and his family members and also took away the household articles including the case. He further submits that the Petitioner No. 4, Gulab Devi @ Ram Sati Devi had filed Marauna P.S.Case No. 26 of 2013 against the informant and Bhola Nath Mukherjee, who is one of the witness to the written report. The allegations of against these petitioners are vague and so they deserve anticipatory bail.

Learned A.P.P. opposes the prayer for bail.

Considering the nature of allegation facts and circumstances, the prayer of Anticipatory bail of petitioners, above named is allowed and they in the event of arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand)each with two sureties of the like amount each in connection with Marauna P.S.Case No. 53 of 2017 (POCSO-



10/2017) to the satisfaction of learned Additional Sessions Judge-I, Supaul, subject to condition as laid down under Sections 438 (2) of the Cr.P.C.

(Sanjay Kumar, J)

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