

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4725 of 2018

Arising Out of PS.Case No. -281 Year- 2017 Thana -KHIJARSARAI District- GAYA

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1. Sheo Kumar Yadav,
2. Ajay Kumar @ Ajay Yadav,
Both Sons of Dev Yadav, Both R/o Village- Chhathar, P.S.- Khijjarsarai,
District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar

For the Opposite Party/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners, in the present case, are seeking anticipatory bail in connection with Khijjarsarai P.S. Case No.281 of 2017 registered for the offences punishable under Sections 341, 323, 354(A)/34 of the Indian Penal Code, Sections 8, 11(I)(2) of POCSO Act and Sections 3(1)(r)(s)(w)(I)(II) of S.C./S.T. Act, 1989.

Learned counsel for the petitioners submits that it is a case of false implication, moreover the main allegations are against accused Ajay Yadav. It is alleged that when uncle and brother of the informant went to the house of the accused, his



brother Sheo Kumar Yadav and family members abused them and called them by their caste.

Learned APP for the State is present.

In the facts and circumstances, so far as prayer for anticipatory bail of the accused Ajay Kumar @ Ajay Yadav (petitioner no.2) is concerned, I am not inclined to grant anticipatory bail to him.

However, considering the facts and circumstances of the case where the main allegation is only against accused Ajay Kumar @ Ajay Yadav, the accused Sheo Kumar Yadav (petitioner no.1) in the event of his arrest/surrender before the court below within four weeks, let the above named petitioner no.1 be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO, Gaya in connection with Khijarsarai P.S. Case No.281 of 2017, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

The application is partly allowed.

Arvind/-

(Rajeev Ranjan Prasad, J)

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