

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20110 of 2018**

Arising Out of PS. Case No.-58 Year-2017 Thana- GADHPURA District- Begusarai

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1. Shyamdeo Yadav, Son of Ram Pratap Yadav
  2. Ram Uday Yadav, Son of Ram Bilash Yadav
  3. Ram Bilash Yadav, Son of Ram Swarup Yadav
  4. Gulshan @ Gulshan Kumar, Son of Shyamdev Yadav
  5. Chandan @ Chandan Kumar, Son of Ram Uday Yadav All Resident of Village- Patahi, P.S.- Chhaurahi, District- Begusarai(Bihar).
  6. Bittu Kumar, Son of Mahendra Yadav Resident of Village- Hajpurwa, P.S.- Kalyanpur, District- Samastipur(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3     19-04-2018                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Garhpura P.S. Case No. 58 of 2017(POCSO Case No. 42 of 2017), instituted for the offence under Sections 363,366(A),34 of the IPC and Section 8, 12 and 17 of the Prohibition of Children from Sexual Offences Act, 2012.

In the written report, the informant alleged that villagers told the informant that they have seen these petitioners taking away his minor daughter. The victim girl on her recovery has given statement under Section 164 Cr.P.C., wherein, she has



stated that she has gone to the house of her sister. She does not know any of the FIR named accused persons.

Learned counsel for the informant has appeared and opposed the prayer.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Garhpura P.S. Case No. 58 of 2017 (POCSO Case No. 42 of 2017) to the satisfaction of the learned Special Judge, POCSO, Begusarai, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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.

**(Sanjay Priya, J)**

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