

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35734 of 2018

Arising Out of PS. Case No.-316 Year-2017 Thana- PHULWARI District- Patna

-
1. Surendra Prasad @ Surendra Prasad Sinha Son of Late Manu Lal
 2. Parvati Devi wife of Surendra Prasad @ Surendra Prasad Sinha
 3. Subhadra Kumari Daughter of Surendra Prasad @ Surendra Prasad Sinha
 4. Rohan Sinha Son of Surendra Prasad @ Surendra Prasad Sinha
 5. Santosh Sinha @ Santosh Kumar Sinha Son of Surendra Prasad @ Surendra Prasad Sinha
 6. Sahil Sinha Son of Surendra Prasad @ Surendra Prasad Sinha All residents of Chhoti Delha (wrongly written as Chhoti Telha in Column 7 of the format of FIR P.S. Delha, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Opposite Party/s : Mr. Sri Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in Phulwari Sharif P.S.
Case No. 316 of 2017 instituted for the offence under Sections
376, 313, 420, 504 and 506 of the Indian Penal Code and
Section 8 of the POCSO Act.

It is submitted that in the entire written report there is no
allegation against these petitioners. These petitioners are family
members of Subodh Kumar Sinha. The informant has levelled



all the allegations against Subodh Kumar Sinha. She has subsequently compromised the case with Subodh Kumar Sinha. On the basis of which trial of Subodh Kumar Sinha was disposed off and he was acquitted. Copy of the judgment passed in Special Case No. 88 of 2017 has been annexed as Annexure-2 to the bail petition.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Phulwari Sharif P.S. Case No. 316 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I-cum-Special Judge POCSO Act, Patna, subject to the conditions as laid down under Section 438(2) 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper 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)

shyambihari/-

U		T	
---	--	---	--

