

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35033 of 2018

Arising Out of PS.Case No. -45 Year- 2018 Thana -BUDDHACOLONY District- PATNA

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1. Suraj Kumar S/o- Sri Manoj Kumar, R/v- Bichali Mandiri, Chhakan Tola, P.S.- Budha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Budha Colony P.S.Cae nO.45 of 2018, Special (POCSO) Case No.55 of 2018, G.R.No.1125 of 2018 , registered for offences punishable under Sections 341, 323, 354A, 354D, 504, 506 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

Allegation against the petitioners is that while the informant was coming from coaching, he started misbehaving with her and also threatened on the point of the weapon to come along him.

Submission of the learned counsel for the petitioners is that he has been falsely implicated in his case and moreover they have compromises the case. The victim girl has also stated about the compromise petition in the learned court below.



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 six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge, Patna in connection with Budha Colony P.S.Case no.45 of 2018, Special (POCSO) No.55 of 2018, G.R.No.1125 of 2018, subject to condition 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 a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners 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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