

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46682 of 2018

Arising Out of PS.Case No. -4 Year- 2018 Thana -MAHILA P.S. District- BANKA

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1. Om Praksh Rai, Son of Phulchan Rai, Resident of Village- Bhitiya, P.O.-
Bhitiya, P.S.- Phulidumar, District- Banka.

2. Pramod Rai, Son of Netan Rai, Resident of Village- Dhawa, P.O.-
Bhitiya, P.S.- Phulidumar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. D.Kumar

For the Opposite Party/s : Mrs. Asha Kumari.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2018 Heard the parties.

Petitioners are apprehending their arrest in Banka Mahila P.S.Case No.04 of 2018 registered for the offences under Sections 448, 341, 354(A), 504, 506/34 of I.P.C. and Section 8 of POCSO Act.

Allegation against the petitioner no.1 is that he entered inside the house of the informant and tried to outrage her modesty but when her father came there and tried to save her petitioner no.2 came and both the petitioners assaulted her father.

Submission of the learned counsel for the petitioners that they have been falsely implicated in this case. There is no specific



allegation against petitioner no.2.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, so far as petitioner no.1 is concerned, I am not inclined to grant anticipatory bail to him. His prayer for anticipatory bail is rejected.

The anticipatory bail petition of petitioner no.1 is dismissed.

So far petitioner no.2 is concerned, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-1st-cum Special Judge, Banka, in Banka Mhila P.S. Case No.04 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C. and (1) one of the bailors must be a local person having sufficient immovable property within the jurisdiction of the concerned court. (ii) the petitioner will not induce any witness or tamper with the evidence and the petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the



prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this bail application is disposed of .

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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