

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51131 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -MAHILA PS District- JEHANABAD

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1. Sonpulwa @ Sompulwa Devi @ Sonfulwa Devi, W/o Chanarik Yadav,
2. Chanarik Yadav S/o Tulsi Yadav, Both are R/o Vill.- Satanpur, P.S.-
Kako, District- Jehanabad.

.... 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 05-09-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Jehanabad Mahila P.S.Case no.19 of 2018 , registered for offences punishable under Sections 376, 506 of the Indian Penal Code and Section 4 of the POCSO Act.

Allegation against the petitioners as per the complaint petition is of commission of rape by the co-accused persons, who are father and mother of the co-accused. It is alleged that when the complainant came to make complaint about it, she was assaulted by the petitioners.

Submission of the learned counsel for the petitioners is that the whole prosecution case is false and concocted and the complaint petition was lodged after the delay of four days and



moreover the petitioners are father and mother.

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 Addl. Session Judge-1st cum Special Judge, Jehanabad in connection with Jehanabad Mahila P.S. Case No.19 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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