

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20192 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -MAHILA PS District- GAYA

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1. Pammi Kumari, daughter of Naresh Paswan, resident of Village-
Vakilganj, Tola Nagri, Police Station- Dobhi, District- Gaya.
2. Rajesh Paswan @ Rakesh Paswan, son of Govind Paswan, resident of
Village- Berrachak, Police Station- Chandauti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with POCSO Case No.1 of 2018 arising out of Mahila P.S.Case No.50 of 2017 , registered for offences punishable under Sections 366 (A) and 376 of the Indian Penal Code and Section 4 of POCSO Act..

Allegation against the petitioners is of kidnapping the girl of the informant.

Submission of the learned counsel for the petitioners is that her statement recorded under Section 164 Cr.P.C. clearly shows that she is consenting party and she has stayed at the house of petitioner no.2, Rajesh Paswan and there is allegation against petitioner no.1 Pammi Kumari asked her to marry with Shashi Kumar only.



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 Additional District and Sessions Judge-1st-cum-Special Judge (POCSO Act), Gaya in connection with POCSO Case No.01 of 2018 arising out of Mahila P.S.Case No.50 of 2017 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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