

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66472 of 2018

Arising Out of PS. Case No.-195 Year-2018 Thana- KONCH District- Gaya

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1. Gaurav Kumar, Son of Sanjay Singh @ Sanjay Sharma,
 2. Shivam Kumar, Son of Shivendra Kumar, Both residents of Village- Sondiha, Police Station- Konch, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Amrendra Kumar, Adv and Mr. Rajesh Kumar, Adv

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Konch P.S. Case No. 195 of 2018** registered for the offence punishable under Sections 395, 376(D), 376(3), 376DA and 397 of the Indian Penal Code and Section 6 of POCSO Act.

Informant in his written complaint has stated that when he was returning on his motorcycle to his house along with his wife and daughter, 10 unknown miscreants stopped him and petitioners along with unknown miscreants committed rape upon his wife and daughter.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case.

It has been further submitted on behalf of the petitioners that



they have been put on TIP but they were not identified. Petitioners have got no criminal antecedent and are in custody since 16.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-I cum Special Judge (POCSO Act), Gaya** in connection with **Konch P.S. Case No. 195 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioners tampers 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.

(S. Kumar, J)

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