

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10019 of 2018

Arising Out of PS.Case No. -39 Year- 2017 Thana -MAHILA PS District- AURANGABAD

=====

1. Raj Kumar,
2. Devanti Devi W/o Kail Ram, Both R/o Bus Padao, Gandhi Maidan, P.S.-
Nagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nivedita Nirvikar

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-03-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Mahila P.S. Case No. 39 of 2017 instituted for the offence under Sections-354(a), 504, 506 of the Indian Penal Code read with Section-8 of Prevention of Children from Sexual Offences Act.

It has been submitted that petitioners have falsely been implicated by the informant. The father of petitioner No. 1 has filed notice No. 449 of 2000 against Ranjeet Ram, husband of the informant Premni Devi in the court of learned Sub Divisional Judicial Magistrate, and due to this, the informant has lodged this false case.

In the written report, it is alleged that the informant along with her husband had gone in engagement ceremony. The daughter of the informant aged about 12 years was asleep in the house when accused Raj Kumar entered into the house and started to outrage her modesty. On hulla, raised by the informant her family members came.



The case diary has been received. The APP after perusal of case diary submitted that there is no medical report in the case diary.

In such circumstances, prayer for anticipatory bail of the petitioners is allowed and petitioners named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Mahila P.S. Case No. 39 of 2017 to the satisfaction of learned Ist Additional Sessions Judge-cum-Special Judge (POCSO), Aurangabad subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioners tamper 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.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

