

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12781 of 2018

Arising Out of PS.Case No. -147 Year- 2017 Thana -CHAKAI District- JAMUI

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1. Manoj Das,
2. Mantu Das, Sons of Shravan Das,
3. Sumitra Devi, Wife of Shrvan Das, All resident of Fariyatadih, Police
Station- Chakai, District- Jamui.

.... Petitioners/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-04-2018 The petitioners are apprehending their arrest in connection with Chakai P.S. Case No. 147 of 2017, registered for offences punishable under Sections 376, 313, 302/34 of the Indian Penal Code and Section 4 of the POCSO Act.

Case of the prosecution is that co-accused of this case on the promise of marriage committed rape on the sister of informant and when she became pregnant, he along with present petitioners took her to terminate her pregnancy, during which she and her foetus died.

It has been submitted on behalf of the petitioners that only allegation against these petitioners accompanied the co-accused Tinku Kumar Das in terminating the pregnancy of sister



of the informant and no further allegation has been levelled against them. Petitioner nos. 1 and 2 are brothers and petitioner no. 3 is their mother.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM -1st Jamui, in connection with Chakai P.S. Case No. 147 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part two appear



before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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