

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15874 of 2019

Arising Out of PS. Case No.-43 Year-2018 Thana- BELDOUR District- Khagaria

1. TIPPU YADAV Son of Bilo Yadav @ Bilo Prasad Yadav Resident of Village - Pirnagra, P.S.- Beldour, Distt - Khagaria.
2. Anil Yadav Son of Bilo Yadav @ Bilo Prasad Yadav Resident of Village - Pirnagra, P.S.- Beldour, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 08-07-2019 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in **Beldour P.S. Case No. 43 of 2018**, instituted for the offence under Section(s) 376, 302/34 of Indian Penal Code and Section 3/4 of POCSO Act, but charge has been framed for the offence under Section 376(D), 376(A), 302/34 Indian Penal Code and Section 4 of POCSO Act.

It is alleged in the written report that daughter of the informant namely, Juli Kumari had gone with Rekha Devi to western *Baihar* to cut grass but she did not return. The informant enquired from Rekha Devi who told that daughter of



the informant had gone to another maize field to cut grass. The informant with other villagers went to search her daughter and found petitioners and two other accused persons as named in the written report running away from the Maize field at 6:00 p.m. The informant raised suspicion against the petitioners.

Counsel for the State submits that statement of mother of the victim girl has been recorded in paragraph-15 of the case diary wherein she has stated that she saw the petitioners and other accused persons running away from the Maize field. Similar statement has been given by Rekha Devi in her statement recorded in paragraph-26 of the case diary.

As such, mere suspicion has been raised against the petitioners.

Petitioners are in custody since 18.6.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-1st cum Special Judge, POSO, Khagaria**, in connection with **Beldour P.S. Case No.**



43 of 2018, subject to the condition that both the bailors will be
close relatives of the petitioners.

(Sanjay Priya, J)

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