

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23347 of 2019

Arising Out of PS. Case No.-93 Year-2016 Thana- DHANSOI District- Buxar

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1. UTTAM PANDEY (Munna) Son of Late Kedar Pandey Resident of Village- Dastipur, P.S.- Bhanwar Kol, District- Gazipur. (UP)
 2. Ashok Pandey Son of Late Kedar Pandey Resident of Village- Dastipur, P.S.- Bhanwar Kol, District- Gazipur.(UP)
 3. Radha Pandey Son of Late Kedar Pandey Resident of Village- Dastipur, P.S.- Bhanwar Kol, District- Gazipur.(UP)
 4. Pawan Pandey S/o Uttam Pandey (Munna) Resident of Village- Dastipur, P.S.- Bhanwar Kol, District- Gazipur.(UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Achhaibar Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 363, 366A IPC registered in connection with Dhansoi P.S. Case No. 93 of 2016.

3. It is submitted that the petitioners have been falsely implicated and in any event the thrust of accusation is against co-accused Rajesh Upadhyay who has been granted anticipatory bail by this Court in Cr. Misc. No. 14099 of 2017. Another co-accused Bali Ram Upadhyay has also been granted anticipatory bail by this Court in Cr. Misc. No. 15406 of 2019. The petitioners have not been named in the statement of the victim girl recorded under Section 164 Cr.P.C. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Buxar, in connection with Dhansoi P.S. Case No. 93 of 2016., subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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