

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31166 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- BARAUNI District- Begusarai

1. SACHIN KUMAR Son of Dineshwar Paswan @ Dinesh Paswan Resident of Village - Bihat, Jagir Tola, P.S.- Barauni, District - Begusarai
2. Rahul Kumar Son of Maheshwar Paswan Resident of Village - Bihat, Jagir Tola, P.S.- Barauni, District - Begusarai
3. Kundan Kumar Son of Rameshwar Paswan Resident of Village - Bihat, Jagir Tola, P.S.- Barauni, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-07-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Barauni P.S.case No.38 of 2019 dated 28.1.2019 , registered for offences punishable under Sections 341, 323, 354(B), 504, 506, 379, 34 of the Indian Penal Code.

Prosecution story as per the written report lodged by the brother of the victim girl is that the accused persons on the point of pistol kidnapped the victim and tried to took her in the bamboo tree plants and also assaulted her and took away her mobile and cash.

Submission of the learned counsel for the petitioners is



that statement of the girl has been recorded in para 7 and statement of the nine witnesses have been recorded in para 8 and 9 that discloses that the petitioner no.1 demanded phone number of her friend and except that there is no allegation of trying to take her in the bamboo tree plant, try to outrage her modesty and also assault and snatch of amount.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge Ist cum Special Judge POCSO , Begusarai in connection with Barauni P.S.case No.38 of 2019 dated 28.1.22019, subject to conditions as laid down 2019under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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