

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28319 of 2019**

Arising Out of PS. Case No.-64 Year-2019 Thana- DARIYAPUR District-
Saran

- =====
1. JITENDRA RAY Son of Shukul Ray Resident of Village - Bajahiya, P.S.-
Dariyapur, Dist.- Saran.
 2. Satyendra Ray Son of Shukul Ray Resident of Village - Bajahiya, P.S.-
Dariyapur, Dist.- Saran.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 354/34 of the Indian Penal Code and Section 8 of the POCSO Act registered in connection with Dariyapur P.S. Case No. 64 of 2019.

3. It is submitted that the petitioners have been falsely implicated and in any event the thrust of accusation is against co-accused Bipin Kumar Rai who is himself aged about 13 years and is school going students. The only accusation against the petitioners is of assault with fist and slap on the father of the victim girl. 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 A.D.J-1, Saran at Chapra in connection with Dariyapur P.S. Case No. 64 of 2019, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate 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) That 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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