

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41407 of 2019**

Arising Out of PS. Case No.-54 Year-2018 Thana- KARPI District-
Jehanabad

- =====
1. SURAJ KUMAR, aged about 22 years, male, Son of Surendra Paswan Resident of Village - Bakhtari, P.S.- Karpi, Dist.- Arwal.
 2. Praveen Paswan, aged about 28 years, male, Son of Baliram paswan Resident of Village - Bakhtari, P.S.- Karpi, Dist.- Arwal.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Suraj Kumar, Adv.

For the Opposite Party: Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-07-2019 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, 504, 506, 354/34 of the Indian Penal Code and Section 12 of POCSO Act registered in connection with POCSO- 12 of 2018 arising out of Karpi P.S. Case No. 54 of 2018.

3. It is submitted that the petitioners have been falsely implicated and there is delay in instituting the F.I.R. on 08.04.2018 for the alleged occurrence of 05.04.2018. The accusations against the petitioners are general and omnibus. The thrust of accusation is against co-accused Kavindra Paswan who has been granted bail by this Court in Cr. Misc. No. 72028 of 2018. After due investigation the police submitted final report no. 154/2018 dated 30.09.2018 exonerating the petitioners but however cognizance has been taken differing from the same. 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 Additional Sessions Judge-1st, Jehanabad, in connection with POCSO 12 of 2018 arising out of Karpi P.S. Case No. 54 of 2018, 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 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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