

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53822 of 2018

Arising Out of PS. Case No.-46 Year-2018 Thana- MAHILA P.S. District- Siwan

-
1. Manju Turaha, d/o Chirkut Turaha
 2. Uma Turaha @ Uma Shankar Turaha, S/o Chirkut Turaha
 3. Anil Turaha, S/o Chirkut Turaha
- All 1 to 3 residents of village - Bishunpura (Murarpatti), P.S. Raghunathpur,
District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra, Adv.

For the Opposite Party/s : Sri S.M. Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 02-01-2019 The application with respect to petitioner no.1, Manju Turaha has already been disposed of vide order dated 30.10.2018.

Heard learned Counsel for the petitioners and learned APP for the State.

Petitioner Nos. 2 and 3 are apprehending arrest in a case registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 4,6,8 of the POCSO Act.

The prosecution case got initiated on the basis of written report dated 27.06.2018 submitted by Basanti Kumari to the Station House Officer, Raghunathpur Police Station to the effect that on the same day at 12.00 A.M., co-accused, Manu Sah



Turha entered into the house of the informant and ravished her. When the mother of the informant came and the informant narrated the incident, then her mother went to make complain about the incident, but she was assaulted by these petitioners.

It is submitted by learned counsel for the petitioners that even assuming the accusation to be true, no offence either under Section 376 of the I.P.C. or Sections 4,6,8 of the POCSO Act is made out against the petitioners. It is further submitted that at earlier point of time, petitioner no.1, Manju Turha lodged Raghunathpur P.S. Case No. 111/2018 against the family members of the informant. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners.

Considering the thrust of accusation against co-accused, Manu Sah Turha and the case lodged by the petitioners' side at earlier point of time, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let petitioner nos. 2 and 3 abovenamed be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned CJM, Siwan in connection with Mahila P.S. Case No.46 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

