

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47796 of 2019**

Arising Out of PS. Case No.-175 Year-2019 Thana- LALGANJ District- Vaishali

1. Pashupati Tiwari Son of Mahendra Tiwary Resident of Village - Jalalpur, P.S.- Lalganj, Dist.- Vaishali.
2. Gudiya Devi Wife of Pashupati Tiwari Resident of Village - Jalalpur, P.S.- Lalganj, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vipin Kumar Singh  
For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      27-09-2019                      Heard learned counsel for the petitioners, learned  
APP for the State and learned counsel for the informant.

The petitioners seek bail in a case registered under Sections 341, 342, 323, 376(D), 504, 506/34 of the Indian Penal Code and Section 6 of the POCSO Act and Section 66 of I.T. Act.

Allegation is that the petitioners instructed to commit rape with the victim and co-accused Rohit Kumar committed rape upon the victim.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 29.05.2019 and have got no criminal antecedent. Charge sheet has been submitted in this



case. There is no allegation of tampering of witnesses alleged against the petitioners. The date of occurrence is said to be 19.04.2018, whereas the case was instituted on 28.05.2019. Delay has not been explained by the prosecution. The medical examination report of the victim does not support the allegations made in the F.I.R.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. I, Vaishali at Hajipur in connection with Lalganj P.S. case No.175 of 2019.

**(Sudhir Singh, J)**

Narendra/-

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