

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47546 of 2019**

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

- =====
1. SAKSHI KUMARI @ SAKSHI, Daughter of Pashupati Tiwari Resident of Village-Jalalpur, Police Station-Lalganj, District-Vaishali at Hajipur.
 2. Diksha Kumari @ Diksha @ Tanu, Daughter of Pashupati Tiwari Resident of Village-Jalalpur, Police Station-Lalganj, District-Vaishali at Hajipur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Vipin Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 31-07-2019 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, 342, 323, 376(D), 504, 506/34 of the Indian Penal Code, Section 6 of the POCSO Act and Section 66 of the I.T. Act registered in connection with Lalganj P.S. Case No. 175 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the thrust of accusation in the F.I.R. is against co-accused Rohit Kumar and Gaurav Kumar. There is inordinate delay of one year in instituting the F.I.R. on 28.05.2019 for the alleged occurrence of 19.04.2018. The petitioners have been implicated merely because they happen to be the younger sisters of the said co-accused Rohit Kumar. The accusations under POCSO Act are not made out against the petitioners. All the family members of Rohit Kumar have been implicated merely for the



purposes of harassment. The petitioners are ladies claiming 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., I, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 175 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 be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present, 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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