

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79560 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- MAHILA P.S. District- Banka *

1. Munna Kumar @ Munna Kumar Yadav, Son of Jhagaru Yadav, resident of Village - Tari, P.S. - Bhairoganj, Distt.- Banka.
2. Ramesh Yadav son of Huro Yadav, resident of village- Dhanochhi, P.S. - Bhairoganj, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey
For the Opposite Party/s : Mr. Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 12-03-2019 Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 341, 323, 354 (B), 504, 506/34 of the Indian Penal Code and Section 8 of POCSO Act.

Informant has alleged in her written complaint addressed to the Superintendent of Police, Banka upon which F.I.R. was instituted that petitioners finding the informant alone, took her to the forest area and tried to commit rape and also outraged her modesty and upon raising alarm, her mother, father and other villagers assembled there and they saw petitioners fleeing away from the place of occurrence.

It has been submitted on behalf of the petitioners that



they are innocent and have been falsely implicated in this case due to village rivalry. Petitioners have got no criminal antecedent and are in custody since 04.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Banka Mahila P.S. Case No. 17/2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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