

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77958 of 2018

Arising Out of PS. Case No.-72 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

1. Arbind Kumar, S/o Mathu Ram,
2. Akash Kumar S/o Laxuman Ram, Both are R/o Vill.- Rampur Milki, P.S.- Ara (M), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr.Sri Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-01-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with POCSO Case No. 17 of 2018 arising out of Ara Muffasil P.S. Case No. 72 of 2018 registered for the offences punishable under Sections 376/511, 354(B)/34 of the Indian Penal Code, Section 67 (A) I.T. Act and Section 8 of POCSO Act.

As per F.I.R., allegation against the petitioners is that the petitioners along with other co-accused tried to commit rape upon the informant and other co-accused Subhash Ram was preparing a video. In the meantime, petitioner no.1 tried to save her but the other co-accused threatened her not to disclose



the matter otherwise the video will be made viral on Internet.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case. Similarly placed co-accused have been granted bail by this Court contained in Annexure-2 of this petition. Petitioners have no criminal antecedent and are in custody since 16.05.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-I, Bhojpur at Ara, in connection with POCSO Case No. 17 of 2018, arising out of Ara (M) P.S. Case No. 72 of 2018 , subject to 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 Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers 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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