

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1367 of 2020

Arising Out of PS. Case No.-271 Year-2019 Thana- BIKRAM District- Patna

-
1. LOHARI @ AJIT KUMAR @ SUJEET KUMAR Son of Late Sudama Mochi Resident of Village-Datiyana, P.S.-Bikram, District-Patna.
 2. Nasib Paswan Son of Sudama Paswan Resident of Village-Datiyana, P.S.-Bikram, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody seeks bail in a case registered under Sections 376/511 of the Indian Penal Code and 8 of POCSO Act.

Informant has alleged in her written complaint that on 21.08.2019 in mid night she had gone outside to attend the call of nature when accused Anand Kumar, Sunil Kumar and Praduman Kumar forcibly took her to Bamboo Clamps where Alok Kumar, Lohari @ Ajit Kumar (petitioner) and Nasib Paswan (petitioner) tried to commit rape upon her, however, on raising alarm, villagers assembled and they fled away.



It has been submitted on behalf of petitioners that petitioners are innocent and have been falsely implicated in this case due to animosity and village rivalry. They have no criminal antecedents and allegations are false, concocted and imaginary. Petitioners are in custody since 23.08.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Special (POCSO) Case No. 163 of 2019 arising out of Bikram P.S. Case No. 271 of 2019 subject to the conditions that:-

(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 their absence on two consecutive dates without proper and sufficient reason the trial court will be at



liberty to cancel their bail bond.

(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)

veena/-

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

