

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2843 of 2020

Arising Out of PS. Case No.-126 Year-2019 Thana- DINARA District- Rohtas

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1. Shiv Kumari Devi @ Shiv Kumaro Devi Wife of Ratan Choudhary Resident of Village - Semo, Dihari, P.S.- Dinara, Distt - Rohtas (Sasaram)
 2. Varun Choudhary Son of Ratan Choudhary Resident of Village - Semo, Dihari, P.S.- Dinara, Distt - Rohtas (Sasaram)
 3. Harendra Choudhary Son of Ratan Choudhary Resident of Village - Semo, Dihari, P.S.- Dinara, Distt - Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiva Ranjan

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in POCSO Case No. 41 of 2019, arising out of Dinara P.S. Case No. 126 of 2019, registered for the offence under Sections 341, 323, 376, 504, 506, 34 of the Indian Penal Code and Section 4/6 of POCSO Act.

It is submitted on behalf of petitioners that the allegation of committing rape is against co-accused Ratan Choudhary. So far as petitioners are concerned, there is only allegation of threat and abuse. It is further submitted that co-accused Ratan Choudhary has already been granted bail by this Court, vide order dt. 04-12-2019 in Cr.Misc. No. 63230 of 2019



(Annexure – 6). Petitioners are having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Rohtas, Sasaram in connection with POCSO Case No. 41 of 2019, arising out of Dinara P.S. Case No. 26 of 2019 on the following conditions:

“(1) Petitioners shall cooperate 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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