

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6278 of 2020

Arising Out of PS. Case No.-234 Year-2019 Thana- MASAUDHI District- Patna

LOLI PRASAD @ BHOLI PRASAD @ RAVINDRA YADAV Son of Munni
Bhagat Resident of Village - Mayabigha, P.S.- Masaurhi, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 03-06-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 147, 149, 448, 379, 341, 323, 376(D), 302 of the I.P.C. and Section 6 of the POCSO Act, 2012.

Informant has alleged in his written complaint that altogether fifteen persons, including petitioner entered into his house and committed robbery of the household articles. It is further alleged that five persons amongst fifteen persons, who entered into his house and committed rape upon his daughter and also killed her after pressing her neck.



It has been submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case due to dirty village politics. There is no eye witness of the occurrence. Witnesses have stated that the daughter of the informant was found hanging in a room, which was closed from inside. It has been further submitted that in the medical report no sign of rape has been found on the person of deceased. Similarly placed co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court as contained in Annexure-3 series. Petitioner has no criminal antecedent and is in custody since 03.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Special Case No. 55 of 2019 arising out of Masaurhi P.S. Case No. 234 of 2019 subject to the conditions that:-

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

(2) Petitioner shall co-operate in the



trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner 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 petitioner.

(S. Kumar, J)

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