

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10917 of 2020

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

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1. ANAND KUMAR S/o Prabhu Mochi R/o village- Datiyana, P.S.- Bikram, District- Patna
 2. Praduman Kumar S/o Umesh Paswan R/o village- Datiyana, P.S.- Bikram, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Shraddhanand Paswan

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-02-2020 Heard both sides.

The petitioners seek bail in Bikram P.S. case No. 271 of 2019 registered under Section 376, 511 of the Indian Penal Code and u/s 8 of POCSO Act.

The victim/informant named the petitioners and Sunil Kumar and alleged that they all asked her to accompany with her and when she refused they caught her hair and closed her mouth. The accused persons dragged her in a bamboo bush where Alok Kumar, Lohari @ Ajit Kumar and Nasib Paswan were present from before. The victim further alleged that the petitioners and others, after untying her under garments, made an abortive attempt to commit rape with her.



The learned counsel for the petitioners submits that petitioners are in custody since 22.08.2019. The petitioners are neighbours of the victim and the victim made false allegation against the petitioners. Similarly situated two accused persons, namely, Lohari @ Ajit Kumar and Nasib Paswan have already been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. No. 1367/2020. The petitioners have already remained in jail for more than six months.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge, POCSO, Patna in connection with Bikram P.S. case No. 271 of 2019.

(Prabhat Kumar Jha, J)

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