

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26479 of 2020

Arising Out of PS. Case No.-288 Year-2018 Thana- RAXAUL District- East Champaran
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1. NAKUL RAI S/o Munilal Rai Resident of Village-Siswa Bazar Tola, P.S.-Raxual, District-East Champaran.
2. Birendra Rai S/o Munilal Rai Resident of Village-Siswa Bazar Tola, P.S.-Raxual, District-East Champaran.
3. Munilal Lal Rai S/o Late Chandrman Rai Resident of Village-Siswa Bazar Tola, P.S.-Raxual, District-East Champaran.
4. Dinesh Rai S/o Late Chandrman Rai Resident of Village-Siswa Bazar Tola, P.S.-Raxual, District-East Champaran.
5. Indu Devi W/o Dinesh Rai Resident of Village-Siswa Bazar Tola, P.S.-Raxual, District-East Champaran.
6. Sanpati Devi W/o Munni Lal Rai Resident of Village-Siswa Bazar Tola, P.S.-Raxual, District-East Champaran.
7. Geeta Devi W/o Nakul Rai Resident of Village-Siswa Bazar Tola, P.S.-Raxual, District-East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-10-2020 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Raxaul P.S. Case No. 288 of 2018

arising out of POCSO Tr. No. 6/20 instituted for the offence



under Sections 448, 341, 323, 324, 307 and 506/34 of the Indian Penal Code and Section 7 /8 of the POCSO Act.

The petitioners appear to have been granted police bail during the course of investigation but later charge-sheet has been submitted and the cognizance has been taken under non-bailable sections as well.

Since the petitioners were on police bail, I am not inclined to grant anticipatory bail to them.

However, if they surrender before the court below and seek bail, the court below shall take into account that the petitioners were on police bail and had not misused the privilege of bail and shall pass order in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

The petition stands disposed of.

(Ashutosh Kumar, J)

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