

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38525 of 2020

Arising Out of PS. Case No.-309 Year-2019 Thana- JOGAPATTI District- West Champaran

1. Mahesh Yadav, S/o Shankar Yadav Residence Of Village -Bhatwalia , P.S.-Jogapatti District - West Champaran.
2. Barwa Yadav, Son of Ashok Yadav Residence Of Village -Bhatwalia , P.S.-Jogapatti District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aprajita, Advocate.

For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-03-2021 Heard the parties.

The petitioners are languishing in custody for the offence punishable under Sections 341, 323, 354A, 354B/34 of the Indian Penal Code.

According to F.I.R., the petitioners allegedly sexually assaulted and harassed to the prosecutrix who is a minor girl while she was going to the village of her maternal grand-mother along with her brother Suraj Kumar. Suraj has also supported the aforesaid allegation before the police. The school admission register shows that the victim was born on 19.04.2007, hence she was apparently a minor on the date of occurrence. Petitioner no.1 is in custody since 09.12.2019 and petitioner no.2 is in



custody since 30.05.2020. Both the petitioners have got no criminal antecedent.

Considering the entire facts aforesaid, let the petitioners, above named, be released on bail, **after framing of the charges** so that the trial may not hamper, on furnishing bail bond of Rs.20000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Jogapatti P.S. Case No. 309 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(c) The petitioners shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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