

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1979 of 2021**

Arising Out of PS. Case No.-111 Year-2018 Thana- PIRPAINTI District- Bhagalpur

1. Rekha Devi aged about 24 years Wife Of Mithun Rai. Resident Of Village Kirtania, Police Station - Pirpainty, District.- Bhagalpur.
2. Dilip Rai @ Dilip Ray aged about 30 years Son Of Parmeshwar Rai Resident Of Village Kirtania, Police Station - Pirpainty, District.- Bhagalpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 09-03-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek bail in a case registered for the offence punishable under sections 354B/504 of the Indian Penal Code and section 12 of the POCSO Act.

As per the prosecution case, these petitioners and other co-accused persons made the co-accused Raju Kumar Rai flee from the spot who was apprehended by the informant and his family.

Learned counsel for the petitioners submits that the specific allegation is against co-accused Raju Kumar Rai who has already been allowed bail by a co-ordinate bench of this Court vide order dated 15.4.2019, passed in Cr.Misc.No. 24177 of 2019. Charge sheet has already been submitted. Petitioners



have got clean antecedent as stated in paragraph 3 of the bail petition. Petitioners are in custody since 1.10.2020.

In the facts of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VIII cum Special Judge, POCSO Act, Bhagalpur in Pirpainty Police Station Case No. 111 of 2018/GR No. 2034 of 2018 on the following conditions:-

(1) Petitioners shall co-operate 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 bond 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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