

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2453 of 2021**

Arising Out of PS. Case No.-228 Year-2020 Thana- BODHGAYA District- Gaya

1. Ravindra Kumar S/O Sri Sidheshwar Prasad, R/O Village-Vastu Bihar, Phase-1 Kharauti, P.S. Bodh Gaya, District- Gaya
2. Alakhdeo Prasad S/O Dahu Prasad, R/O Etigate, Kaler, P.S. Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Y.C. Verma, Sr. Adv.

: Mr.Ram Babu, Adv.

For the Opposite Party/s : Mrs.Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 18-03-2021 Heard the parties.

The petitioners seek bail in a case registered for the offence punishable under Sections 370/370(A)/373/34 of the Indian Penal Code, Section 6 of the POSCO Act and u/s 3/4/5 of the Immoral Traffic Act.

The prosecution case is that a liquor party was going on, wherein some girls had also been invited and it is alleged that on reaching the place, the girls have alleged that they were forcibly brought there and were being subjected to physical harassment.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that there is no overt act against the petitioners. No any incriminating articles was recovered from



the conscious possession of the petitioners. The owner of the house is co-accused Manoj Yadav where petitioners were gone to meet for the purpose of purchasing of a plot and agreement was to be executed having no knowledge of any dispute over the property between the informant and co-accused Manoj Yadav. He further submits that even as per the allegation, they have neither been recovered with the liquor nor have been found in the same room with any of the girls. The girls have later denied their statements recorded under Section 164 Cr.P.C. as being under police duress. The petitioners are languishing in judicial custody since 05.07.2020. The petitioners have got no criminal antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused has been granted bail by this Hon'ble Court vide order dated 15.03.2021 passed in Cr. Misc. No.39526/2020.

Learned APP for the State opposes the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each in connection with Bodhgaya P.S. Case No. 228/2020 to the



satisfaction of learned Court below where the case is pending;
subject to the following conditions:

(1) One of the bailors will be his a close relative of the petitioners who will give an affidavit genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(2) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(Anjani Kumar Sharan, J)

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