

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36452 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- TEGHRHA District- Begusarai

ADITYA KUMAR Son of Mahesh Singh @ Mahesh Kumar Singh Resident
of Village - Madhurapur, Dakhin Tola, P.S.- Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41974 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- TEGHRHA District- Begusarai

SUJEET KUMAR Son of Chandra Bhushan Singh @ Chandra Bhushan
Prasad Singh Resident of Village - Madhurapur, Dakshin Tola, P.S.- Teghra,
Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 36452 of 2021)

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr. Rajeev Ranjan

(In CRIMINAL MISCELLANEOUS No. 41974 of 2021)

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 28-02-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioners and

learned APP for the State.



The petitioners apprehend their arrest for the offences alleged under Sections 364 and 354B of the Indian Penal Code and Section 8 of the POCSO Act, registered in connection with Teghra P.S.Case No.11 of 2021.

As per the allegation, the accused persons including the petitioners dashed the informant Komal Kumari and Amrita Kumari by their motor-cycle. When they fell down, co-accused Manish Kumar started making video clip and co-accused Mithu Kumar, after forcibly got them seated on motor-cycle, they took them to *Deera*. The informant and her friend Amrita Kumari saved themselves after jumping from the motor-cycle and they entered into a nearby house.

The learned counsel for the petitioners has submitted that other co-accused persons Aman Kumar and Mithu Kumar on whom there was specific allegation of taking the victim on the motor-cycle, have been acquitted by the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Begusarai, vide his judgment and order dated 20.12.2021, the copy whereof has been annexed with the supplementary affidavit. In that case, the victim, informant, her friend Amrita Kumari and mother of the informant have been examined and they did not support the prosecution case. As such the accused persons have been



acquitted.

Considering the above-mentioned facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released 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 learned Additional Sessions Judge-VIth-cum-Special Judge, POCSO Act, Begusarai in connection with Teghra P.S.Case No. 11 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further condition that the petitioners shall appear on each and every date fixed in the trial in the court below, except unavoidable circumstances.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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