

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14394 of 2023

Arising Out of PS. Case No.-51 Year-2022 Thana- PARSAUNI District- Sitamarhi

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1. Panchu Rai @ Pachu Kumar S/O Dipnarayan Rai @ Diplal Ray R/O
Village- Parsurampur Tole Dhamaura, P.S- Parsauni, District- Sitamarhi
 2. Satya Narayan Rai S/O Barhmdev Rai @ Bramdev Ray R/O Village-
Parsurampur Tole Dhamaura, P.S- Parsauni, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surati Devi w/o Devendra Rai, R/o village- Parsurampur tole Dhamaura,
P.S.- Parsauni, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Parsauni P.S. Case No. 51 of 2022 instituted under Sections
341, 342, 448, 376, 511, 504, 506/34 of the Indian Penal Code
and Section 8 of POCSO Act.

3. As per prosecution case, allegation against the
petitioner No. 1 is that he tried to rape the informant's daughter



who fled away and when the said incident was narrated to petitioner No. 2, he alongwith other co-accused abused her.

4. Learned counsel for the petitioners submits that F.I.R. has been lodged after seven days the of alleged occurrence without any explanation and the trial was faced by father and uncle of the petitioner No.1. The victim girl as well as informant have stated therein that they could not identify the person who attempted to commit rape with the victim girl. The informant, victim girl and father of the victim girl have filed an application before the learned Court below that the petitioners were not involved in the alleged occurrence. Petitioners have no criminal antecedent. Notice was issued to petitioner no.2, on her behalf no one appeared.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge (POCSO Act),



Sitamarhi in connection with Parsauni P.S. Case No. 51 of 2022,
subject to the conditions laid down in Section 438(2) of the
Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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