

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39565 of 2023

Arising Out of PS. Case No.-159 Year-2022 Thana- TANKUPPA District- Gaya

1. PRAMOD KUMAR Son of Rajdev Prasad Resident of Village - Nawagarh Tola, Chainpur, Police Station - Tankuppa, District - Gaya.
2. Sandeep Kumar Son of Upendra Prasad Nawagarh Tola, Chainpur, Police Station - Tankuppa, District - Gaya, At present residing village - Bhusunda Balapar, Police Station - Tankuppa, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Alamdar Hussain

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-12-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Section 366(A)/34 of the Indian Penal Code.

3. It is submitted on behalf of petitioners that specific accusation of kidnapping and sexual assault is against co-accused Ajay Kumar. The victim, in her statement recorded under Section 164 Cr.P.C., has specifically stated that co-accused Ajay Kumar with his friends kidnapped her and thereafter, co-accused Ajay Kumar established physical relation with her. The victim has not alleged any sexual assault against these petitioners. They are only alleged to be in the company of co-accused Ajay Kumar. Victim is 19 years old. Petitioners have got clean antecedent.



4. Learned A.P.P. for the State has opposed the bail petition.

5. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO-cum-Addl. District & Sessions Judge VI, Gaya in connection with Tankuppa P.S. Case No. 159 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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