

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50766 of 2024

Arising Out of PS. Case No.-68 Year-2023 Thana- ATRI District- Gaya

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1. Urmila Devi @ Usha Devi Wife Of Virendra Das Village- Narawat P.S.- Atri, Distt.- Gaya
 2. Prince Kumar @ Prince Raj Son of Virendra Das Village- Narawat P.S.- Atri, Distt.- Gaya
 3. Devanand Das @ Devandan Das Son of Late Jagmohan Ram @ Jagmohan Das Village- Narawat P.S.- Atri, Distt.- Gaya
 4. Renu Devi Wife of Devanand Das @ Devandan Das Village- Narawat P.S.- Atri, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pratima Kumari D/O- Ramji Das R/O- Village- Upthu, P.S.- Atri, Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv.
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Atri P.S. Case No. 68 of 2023 lodged on 14.02.2023 for the offences punishable under Sections 376, 493, 504, 34 of the Indian Penal Code read with sections 4,6 and 17 of the POCSO Act.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners



against whom the allegation in the FIR is in two parts. In the first part, the allegation is against co-accused namely Ramdhir Kumar who on the pretext of marriage has developed physical relation with the informant and in the second part, when the father and mother of the informant reached at the house of the accused Ramdhir Kumar to talk about the marriage, then other co-accused persons (present petitioners) assaulted the father and mother of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that from the contents of the FIR, it is very much clear that in the FIR, only allegation of assault is there. Counsel further submits that co-accused person namely Ramdhir Kumar has been granted bail by this Court *vide* order dated 18.04.2024 passed in Cr. Misc. No.13207 of 2024. Counsel also submits that the criminal antecedent of the petitioner nos.1,3 and 4 are clean, but petitioner no.2 has one criminal antecedent in which he is on bail.

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

6. As such, considering the aforesaid facts and circumstances, let the above named petitioners be released on



bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, POCSO-cum-Additional Sessions Judge VII, Gaya, in connection with Atri P.S. Case No. 68 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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