

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61878 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- NAVINAGAR District- Aurangabad

1. Rakesh Kumar S/o- Yugeshwar Singh Village- Satar Dhanao, P.S. Nabinagar, Dist- Aurangabad
2. Ravi Kumar S/o- Yugeshwar Singh Village- Satar Dhanao, P.S. Nabinagar, Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anu Devi Wife of Rana Pratap Singh Village- Baldhar Kala Pahad Tendua Ps- Tandwa Dist- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 09-12-2024 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Nabinagar P.S. Case No. 148 of 2024, instituted for the offences punishable under Sections 341, 323, 354, 363, 504, 506, 34 of the Indian Penal Code, Sections 8 and 12 of the POCSO Act.

3. The prosecution case, in short, is that, the petitioner no. 1 used to misbehave and scold the daughter of the informant in her school. Further, on complaint of the informant, the Principal of said school terminated the petitioner no. 1. After his termination, both the petitioners made a failed attempt to kidnap the victim but they were caught and handed over to the police.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners have neither threatened the victim nor made any attempt to kidnap her. The informant is not an eye witness to the alleged occurrence. It is further submitted that petitioner no. 1 was not terminated from the school, rather he resigned by himself and left the said school. Petitioner no. 2 is the brother of petitioner no. 1. The petitioners are in custody since 25.05.2024 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nabinagar P.S. Case



No. 148 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(III) If the petitioners are found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

