

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79905 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- Bahoranpur District- Bhojpur

1. Devendar Kumar Ram, aged about 24 years, Male,
2. Vijendar Kumar Ram, aged about 23 years,
Both are sons of Ghurhu Ram, resident of Village- Damodarpur, Police
Station- Bahoranpur, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhagmani Devi W/o Ramjee Ram R/o vill - Damodarpur, P.S. - Bahoranpur,
Distt. - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-12-2024 Heard Mr. Chandra Bhushan Singh, learned counsel
appearing on behalf of the petitioners and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Bahoranpur P.S. Case No. 23 of 2024, registered for the
offence punishable under Sections 341, 323, 354, 504, 506/34 of
the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the allegation made in the FIR, petitioners
along with co-accused Jitendar Kumar Ram, had committed
wrong with the victim, who is the daughter of the informant.



4. From the recorded fact and information contained in the impugned order, in which, learned District Court has observed that the victim in her statement recorded under Section 164 of the Code of Criminal Procedure, has not alleged participation of the present petitioners, rather, she has made allegation against co-accused Jitendar Kumar Ram that he had forcibly took her on his motorcycle, I find that there is minuscule evidence against these petitioners. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

5. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Ara, Bhojpur, in connection with Bahoranpur P.S. Case No. 23 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

6. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in



paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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