

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35315 of 2015

Arising out of PS.Case No. -8 Year- 2015 Thana -CHANPATIA District- WEST
CHAMPARAN(BETTIAH)

Vikas Kumar Mahto, S/o Late Jogindra Mahto, R/o Vill. Tikuliya, P.S.
Chanpatiya, Dist. West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Sharma, Advocate.

For the Opposite Party : Mr. Abhay Kr. Roy(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 20.01.2015
in connection with Chanpatia P.S. Case No. 08 of 2015 for the
offences instituted under Sections 376/34 of the IPC and 6 of the
Protection of Children from Sexual Offences Act, 2012.

The prosecution story, in brief, is that while the
informant was cooking rice in her house where her parents were
out of the house, Vikash Kumar Mahto (petitioner) & Dilip Kumar
Mahto entered into the house and switched off the light and tied
the mouth of the informant and took her to Chanpatia and through
a tempo to Lauriya on the pretext of having a town visit and

returned and thereafter both committed rape for two days at a place on a hay(Puwal) and on 08.01.2015 the informant was searched by one of the villager, namely, Bigu Mahto and was brought to her house.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 20.01.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence. As per allegation, the victim was sexually assaulted. She returned on 08.01.2015 and the case was instituted on 09.01.2015. The victim was examined by the doctor on 09.01.2015 itself. The medical report which is Annexure-2 to the present application. As per opinion of the doctor it has been mentioned that no recent sign of sexual assault clinically and radiologically is found upon the victim

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge1-cum-Special Judge, Bettiah, West Champaran in

connection with Chanpatia P.S. Case No. 08 of 2015(SGR No. 03/2015).

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(Sudhir Singh, J)

