

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.468 of 2016

Arising Out of PS.Case No. -47 Year- 2015 Thana -MANSURCHAK District- BEGUSARAI

=====

1. Binod Mahto @ Binod Kumar Mahto, son of Sri Ram Chandra Mahto
resident of Village- Rahiyahi Yamunatar, P.S. Bachhwara, Distt- Begusarai.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Durgesh Nandan(APP)

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner as well as

learned APP for the State.

Petitioner made an intrusion into the room where Rinku Kumari along with her younger sister Kajal Kumari were sleeping and further petitioner indulged in lecherous activities whereupon, was challenged by the informant. Seeing this, petitioner tried to flee, however, got apprehended on chase.

It has been submitted on behalf of petitioner that the allegation so attributed to him happens to be false in the background of the fact that had the petitioner arrived at the place of the informant on a motorcycle in the dead of the night, there was every possibility at the end of prosecution party to have awoken as the aforesaid activity happens to be abnormal one and further, could not have allowed the petitioner to go inside, at least,

into the room of alleged victim. Furthermore, from the place of occurrence, it is evident that room has a door and so, unless and until, there is external force used for opening the door, no one could enter inside. Also submitted that petitioner has got no criminal antecedent and is under custody since 21.08.2015.

Learned APP opposed the prayer for bail.

Accordingly, petitioner, Binod Mahto @ Binod Kumar Mahto is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum-Special Judge, Begusarai in connection with Mansoor Chak PS Case No. 47/2015 corresponding to POCSO Case No. 53/2015.

(Aditya Kumar Trivedi, J)

perwez

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