

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10532 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -SHEIKHOPUR SARAI District- SEKHPURA

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Ratan Mahto son of Lakshman Mahto, Resident of village- Dowadih, P.S.-
Shekhopur Sarai, District- Sheikhpura (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lalan Kumar, Advocate

For the Opposite Party : Mr. Indu Kumari Srivastav, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner, learned counsel
for the Informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Shekopursarai P.S. Case No. 40 of 2015 for the offences
instituted under Sections 354(B), 341, 323 and 504/34 of the
Indian Penal Code and Section 8 of the POSCO Act.

As per prosecution case, it appears that the informant
Munni Devi lodged FIR stating therein that on 02.06.2015 at about
12 'o' clock her daughter Rinki Kumari went out of her house to
play and after one hour she began to search her and in that course
she reached at the Dallan of Ratan Mahto and saw him loosing the
paint of Rinki Kumari and Ratan Mahto was naked. Thereafter
Ratan Mahto began to abuse her and all his family gathered there
and all the accused persons began to assault by hands and fists and
thereafter Ratan Mahto has threatened her to teach a lesson if she

will lodge the case.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has falsely been implicated in the present case. It is submitted that in para-6 of the case diary, the statement of the victim girl has been recorded where the victim girl has specifically stated that whatever has been stated in the FIR, has been tutored by her mother. There is admitted land dispute between the parties.

On behalf of the State and learned counsel for the Informant, 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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Shekhopur Sarai P.S. Case No. 40 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District Judge, Sheikhpura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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