

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26420 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -MUSAHRI District- MUZAFFARPUR

1. Aasha Devi, Wife of Raghu Mahto
2. Raghu Mahto, Son of Jamun Mahto
Both Resident of Village- Prahladpur P.S Mushahari, district - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ram Chandra Pandey, Advocate
For the State : Mr. Md. Sufiyan, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 11-07-2016 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case filed under Sections 341, 323, 376, 511, 379 and 34 of the Indian Penal Code and Sections 8 of the POCSO Act.

It is contended on behalf of the petitioners that allegation either under Section 376 of the I.P.C or Section 8 of the POCSO Act are not against the petitioners rather the same is against 12 to 13 years son of the petitioners, who has already been taken in custody.

So far allegation of assault by lathi and snatching of ornament is concerned that act has been attributed to the

petitioner no.1 Asha Devi who has already been taken in custody and, as such, learned counsel for the petitioners seeks leave to withdraw this application so far the petitioner no.1 is concerned.

Accordingly, this application is dismissed as withdrawn so far it concerns the petitioner no.1, Asha Devi.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Mushahari P.S. case no.57 of 2016, the petitioner no.2, Raghu Mahto shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge 1st -cum- Spl. Judge POCSO at Muzaffarpur Distt., Muzaffarpur subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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