

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56485 of 2017

Arising Out of PS.Case No. -133 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bharasali Mahto @ Bharosi Mahto, s/o Shri Naresh Sahani
 2. Rambali Mahto, s/o Late Sukhlal Mahto
 3. Newra Devi @ Neuri Devi, w/o Rambali Mahto
 4. Sonu Kumar, s/o Rambali Mahto, All r/o village Phulwariya Nayaka Tola, P.S. Sugauli, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 06-12-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sugauli P.S. Case No. 133 of 2017, registered under Sections 366A/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offence.

The accusation is of enticing away the daughter of the informant, aged about 15 years, by six persons including the petitioner.

Learned counsel for the petitioners submits that the statement of victim recorded under Section 164 Cr.P.C., in which,



while she has stated the name of petitioner nos. 1, 3 and 4 indulging in her kidnapping, but has not disclosed the name of petitioner no. 2, Rambali Mahto, which would appear from the order dated 01.08.2017 passed in A.B.P. No. 1879 of 2017 passed by the Ist Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari.

Having regard to the facts and circumstances of the case, let the petitioner no. 2, namely, Rambali Mahto, 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Ist Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Sugauli P.S. Case No. 133 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner nos. 1, 3 and 4, namely, Bharasali Mahto @ Bharosi Mahto, Newra Devi @ Neuri Devi and Sonu Kumar, are concerned, their prayer for grant of anticipatory bail stands rejected. The petitioner nos. 1, 3 and 4 are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in



accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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