

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 25515 of 2018

Arising Out of PS. Case No.-36 Year-2017 Thana- Korma District- Sheikhpura

Tulsi Mahto, Son of Late Bihim Mahto, Resident of Village Dih Kusumbha,
P.S.- Korma, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 02-05-2018 Heard Shri Pankaj Kumar, learned counsel for the petitioner and Shri Mithilesh Kumar Khare, learned Additional Public Prosecutor.

This is the second attempt for grant of bail on behalf of petitioner. Earlier, the prayer for bail of this petitioner was rejected on 17-11-2017, vide Cr. Misc. No.55332 of 2017.

Learned counsel for the petitioner, at the very outset, has drawn my attention to Annexure -4, i.e. copy of order dated 13-12-2017 passed in Cr. Misc. No. 54121 of 2017. It was submitted by learned counsel for the petitioner that other co-accused, against whom there was accusation that he was order giver, has been granted bail, whereas accusation against petitioner is in the nature of general and omnibus. This time, the petitioner has prayed for bail on the ground of parity.



Shri Khare, learned Addl. Public Prosecutor has opposed the prayer for bail, however, he was not in a position to dispute the fact that another co-accused, namely, Mahesh Mahto has been granted bail by order dated. 13-12-2017 passed in Cr. Misc. No. 54121 of 2017 i.e. Annexure – 4 to the petition.

Considering the fact that one another co-accused, who was having serious accusation than the petitioner, has already been extended the privilege of bail, there is no reason to refuse the prayer of the petitioner.

Accordingly, let the petitioner namely Tulsi Mahto be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge, Sheikhpura in connection with POCSO Case No. 18 of 2017, arising out of Korma P.S. Case No. 36 of 2017.

(Rakesh Kumar, J.)

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