

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54925 of 2018

Arising Out of PS.Case No. -21 Year- 2018 Thana -MAHILA P.S. District- MUZAFFARPUR

=====

Ramesh Mahto @ Rakesh Mahto S/o Jagdish Mahto, R/o Vill.-
Chandanpatti (Chhapara Farid), P.S.- Sakara, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pradhan Murli Manohar Pd. Advocate.
Mr. Raju Kumar Goswami, Advocate.

For the State : Mr. Lakshmi Kant Sharma, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Muzaffarpur Mahila P.S.

Case No. 21 of 2018 instituted for the offence under Sections
376, 323, 506 of the Indian Penal Code read with Section 4/6 of
POCSO Act.

Petitioner is uncle of the victim girl.

It is alleged in the written report that petitioner has
committed illegal act with 7 years old daughter of the informant.

Counsel for the petitioner submits that on account of
land dispute petitioner has been falsely implicated in the instant
case.

Case diary has been received.

The statement of victim girl recorded under Section
164 Cr. P.C. is available in paragraph-64 of the case diary



wherein she has stated that she was playing with her sister at her door. Petitioner gave her Rs.5/- and told to bring shampoo from the shop. The petitioner took her in the Bush when she was going to bring Shampoo and attempted to commit illegal act with her after removing her pant. Thereafter, she managed to run away from there.

The Medical report of victim girl is available in the case diary wherein the Doctor has found no foreign body and hymen was found intact. No any sign of injury was found on the person of the victim girl.

Petitioner is said to be in custody since 6.5.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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 Special Judge, POCSO Act, Muzaffarpur, in connection with Muzaffarpur Mahila P.S. Case No. 21 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

S.Ali/-

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

