

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56203 of 2018

Arising Out of PS. Case No.-136 Year-2016 Thana- DHAMDAHA District- Purnia

Hemant Kumar Mahto, Son of Sri Narayan Mahto @ Shiv Nandan Mahto,
R/o Village- Bardela, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Dr. Bidhu Ranjan, Adv. Miss. Preety Kunwar, Adv.
For the Opposite Party/s :		Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 05-11-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Dhamdaha P.S. Case No. 136 of 2016
registered for the offences punishable under Sections 366A/34
of the Indian Penal Code.

Allegation against petitioner is enticing and eloping
the daughter of the informant when she had gone to bring her
matriculation certificate.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. The date of occurrence is
18.07.2016 but FIR was instituted on 20.07.2016 after delay of



two days. He has no criminal antecedent. He is in custody since 12.06.2018. Victim in her statement made U/s. 164 Cr.P.C. had denied any sexual assault which is supported by Medical report also. Medical Board has assessed age as 17-18 years. Petitioner has denied abduction and has stated that she voluntarily accompanied him. It has been further submitted that similarly placed co-accused person has been granted bail by another co-ordinate Bench of this Court in Cr. Misc. No. 53038 of 2016 vide order dated 12.01.2017.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No. 136 of 2016.

(S. Kumar, J)

Rajiv/Manoj-

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