

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1555 of 2018

Arising Out of PS.Case No. -54 Year- 2017 Thana -MAKER District- SARAN

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1. Parmatma Kumar Mahto @ Genu Kumar @ Genu Kumar Mahto Son of
Daroga Mahto resident of Village - Aphar, P.S. Amnour, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 07-02-2018 Heard the counsel for the petitioner and the A.P.P. for
the State.

Petitioner seeks regular bail in POCSO Case No.17 of
2017 arising out of Maker P.S.Case No.54 of 2017 instituted for
the offence under Section 366(a)/34 of the I.P.C. and Section 4 of
POCSO Act.

Informant is the father of the victim girl who in his fard
beyan has stated that his daughter Soni Kumari aged about 14
years went to school but did not return thereafter during search he



was informed by one Saheli of his daughter that the victim girl had been forcibly taken away by the petitioner along with three persons who had come on two motor cycles in Janta Bazar near Jagdishpur canal bridge. Subsequently victim girl was recovered and her statement was recorded under Section 164 Cr.P.C. in which she disclosed that the petitioner took her on motor cycle to the bus stand and she was taken to Gaya, Patna, Jaipur and Pune when friend of her brother saw her with the petitioner and from where she was brought to her native place by her parents. She has stated about sexual assault. She has stated that petitioner had forcibly established physical relation with her. She was medically examined in which no injury was found and the doctor has opined that she had sexual relation in past and has found no external or internal injury.

Submission of the counsel for the petitioner is that the court below has assessed the age of the victim girl as 17 to 18 years. Circumstances do not indicate abduction but the victim girl had willingly accompanied petitioner. Petitioner has no criminal antecedent and he is in custody since 13.04.2017.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to



the satisfaction of 1st Additional Sessions Judge, Saran at Chapra,
in POCSO Case No.17 of 2017 arising out of Maker P.S.Case
No.54 of 2017.

(S. Kumar, J)

AnilKrSinha/-

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