

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42206 of 2018

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1. Shiv Kumar Mahto @ Shiv Mahto @ Bantha S/o Gulab Mahto, R/o Mohalla- Mangal Talab, Machcharhatta, Noniya Tola, P.S.- Khajekalan , District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-08-2018

Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Khajekalan P.S. Case No. 23/2018, instituted for the offences punishable under Sections 376, 341, 504, 506 and 34 of the Indian Penal Code read with Section 4 of the POCSO Act.

The petitioner is the father of co-accused Sunny. In the written report, there is specific allegation of committing illegal act with the daughter of informant against co-accused Sunny. There is general and omnibus allegation against this petitioner.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Khajekalan P.S. Case No. 23/2018,



he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 1st-cum-Special Judge, POCSO, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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