

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 48832 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- Bettiah Muffasil District- West
Champaran

Awadh Mahto, S/o Narsingh Mahto, R/o Village- Shekhauna, P.S.- Bettiah
Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 18-08-2018 Heard Sri Bimlesh Kumar Pandey, learned counsel for
the petitioner and Sri Shyam Bihari Singh, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since
20-04-2018 in Bettiah Muffasil P.S. Case No. 104 of 2018
registered for offence under Sections 366, 498, 379/34 of the
Indian Penal Code, subsequently, chargesheet was submitted
under Sections 363, 366, 376 of the Indian Penal Code, has
prayed for grant of bail.

Learned counsel for the petitioner has drawn my
attention to F.I.R. as well as statement of the victim recorded
under Section 164 of the Cr.P.C. He submits that victim was a
married lady, having a minor child, had eloped initially with her
consent with the son of the petitioner, however; petitioner and



his other family members were arrayed as accused in the F.I.R. and subsequently, the statement of the victim was recorded under Section 164 of the Cr.P.C. A copy of the said statement has been brought on record as Annexure – 2 to the petition. Sri Pandey, learned counsel for the petitioner submits that in statement recorded under Section 164 Cr.P.C., the victim had not whispered anything against the petitioner, however; she had alleged that Ramesh Kumar, son of the petitioner, had persuaded her to go with him and during that period, he had committed rape also.

Considering the fact that petitioner is only father of the main accused, there is no reason to further detain the petitioner.

Let the petitioner namely Awadh 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 C.J.M., Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case No. 104 of 2018.

(Rakesh Kumar, J.)

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