

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69107 of 2018

Arising Out of PS. Case No.-144 Year-2018 Thana- CHAUTHAM District- Khagaria

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1. Laxmi Devi Wife of Late Abbu Mahto
 2. Priyanka Devi Wife of Vijay Mahto
 3. Sulena Devi wife of Pankaj Mahto
 4. Jila Devi Wife of Late Chandar Mahto
 5. Pankaj Mahto Son of Late Chandar Mahto
 6. Vijay Mahto, Son of Late Chandar Mahto
 7. Krishnandan Kumar @ Krishnandan Mahto Son of Late Chandar Mahto All Resident of Village- Kaithi, Police Station Chautham, Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-12-2018 Heard Mr. Dr. Amrendra Kumar, learned counsel
for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Chautham P.S. Case No. 144 of 2018 dated 20.07.2018 instituted for the offences under Sections 341, 323, 504, 509, 354(A), 308/34 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

It has been alleged in the FIR that Kanhai Mahto and Abbu Mahto, on different dates tried to outrage the modesty of the daughter of the informant. When the informant went to protest against such action of Kanhai and Abbu, the petitioners are alleged to have abused and assaulted the informant.



Dr. Amrendra Kumar, learned counsel for the petitioners has submitted that there is a counter version of the occurrence as well vide Chautham P.S. Case No. 158 of 2018 which has been lodged by one Ram Pravesh Kumar who is the brothers of the petitioners no. 5, 6 and 7. There is a partition dispute in the family and the petitioners as well as the informant come from the same stock of family.

Considering the nature of accusation against the petitioners and taking into account the counter version of the occurrence as also the relationship between the parties, the petitioners above named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Khagaria in connection with Chautham P.S. Case No. 144 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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