

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.340 of 2019

Arising Out of PS. Case No.-201 Year-2018 Thana- MUFFASIL District- West Champaran

Saheb Mahto @ Shashi Bhushan Mahto, son of Ramdeo Mahto @ Lakshman Mahto, Resident of village- Chotaka Barwat Prasarain, P.O.- Chotaka Barwat Prasarain, P.S.- Betiya Mufasil, District- West Champaran

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Ram Naresh Ray, Advocate

For the Respondent/s : Mr.Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 31-01-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 17.12.2018 passed by Additional Sessions Judge-I-cum-Special Judge, West Champaran, in ABP No. 2530 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Bettiah Mufasil P.S.Case No. 201 of 2018, registered under Sections 366, 376, 506 of the Indian Penal Code and Section 3(i)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against son of the appellant is of having physical relationship with informant on the pretext of marriage.

Submission of learned counsel for the appellant is that he is father of the main accused and in her statement under Section 164 Cr.P.C. the girl has stated that she does not want to pursue the case.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellant, named above, be released on bail, in the event of arrest or



surrender, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum-Special Judge, West Champaran, in connection with Bettiah Mufasil P.S.Case No. 201 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellant shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 17.12.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

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CAV DATE	
Uploading Date	
Transmission Date	

