

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3028 of 2019

Arising Out of PS. Case No.-373 Year-2018 Thana- MAJHAULIA District- West Champaran

Suresh Mahto S/o Late Ram Govind Mahto Resident of Village- Ratanmala,
P.S.- Majhaulia, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-01-2019 Heard both sides.

The petitioner apprehends his arrest in Manjhaulia
P.S. case No. 373 of 2018 registered under Section 376 of the
Indian Penal Code and under Section 4, 5(g) of POCSO Act.

The victim made allegation that Sugan Mahto,
Dhanilal Mahto and Pradeep Mahto committed rape with her
one by one. When the victim raised alarm, Sugan Mahto was
apprehended by the villagers but Sudama Mahto, Suresh Mahto,
the petitioner, and Bhikhari Mahto came and took away Sugan
Mahto from the custody of villagers.

The learned counsel for the petitioner submits that
there is no allegation of outraging the modesty of the victim
against the petitioner. The petitioner and two others are alleged
to have helped Sugan Mahto in escaping from the custody of



villagers. Similarly situated accused Sudama Mahto has already been granted anticipatory bail vide order passed in Cr. Misc. No. 76681 of 2018. The case of petitioner stands on the same footing.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to 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 the learned Additional Sessions Judge-I-cum-Special Judge, Bettiah, West Champaran, in connection with Manjhaulia P.S. case No. 373 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

