

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11219 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- TIKAPATTI District- Purnia

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1. Vinod Kumar Mahto @ Vinod Kumar, Son of Ramanand Mahto Resident of Village - Goriar, Mal Tola, P.S.- Tikapatti, Distt - Purnea.
 2. Sanjan Kumar Mahto @ Sanjan Kumar Son of Siyaram Mahto Resident of Village - Goriar, Mal Tola, P.S.- Tikapatti, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Uday Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-02-2019 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Tikapatti P.S. Case No. 52 of 2018 dated 06.04.2018 instituted for the offences under Sections 376, 511/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The informant who is the father of the victim girl has though alleged acts of misdemeanor against the petitioners and another but the victim in her 164 statement has only stated that while she was being accompanied by her mother, co-accused Sri Ram tried to catch hold of her, but she could effectively resist him. Later, with the timely arrival of the people and police,



Sri Ram was arrested and sent to jail.

The reason for the petitioners to have been named in the FIR has been stated in para-8 of the petition.

The implication as suggested by the petitioner is aftermath of election dispute.

Regard being had to the aforesaid facts, especially the statement under Section 164 Cr.P.C. by the victim girl, clean antecedent of the petitioners and the petitioners being students, they 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, Purnea in connection with Tikapatti P.S. Case No. 52 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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