

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17536 of 2019

Arising Out of PS. Case No.-43 Year-2018 Thana- BARHARA District- Bhojpur

CHHOTTE MAHTO @ SUDHESHWAR SINGH @ CHHOTTU MAHTO
Son of Dwarika Mahto Resident of Village- Semra, P.S.- Barhara, District-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar
For the Informant	:	Mr. Dharmesh Kr Srivastava
For the Opposite Party/s	:	Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-03-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

The petitioner seeks bail in connection with Barhara
P.S. Case No. 43 of 2018 instituted for the offence under
Section(s) 366(A)/34 of the Indian Penal Code and. Later on,
Sections 376(D)/302/376(A) of I.P.C. and Section 4 of POCSO
Act have been added.

It is alleged in the written report that minor daughter
of the informant has been kidnapped by Chhotu Kumar Singh
and Balwant Singh along with one unknown person on
motorcycle.

Learned counsel for informant has submitted that later
on, the dead body of the victim girl was recovered. The name of



this petitioner has been taken by Balwant Singh before police in the confessional statement levelling allegation against him also of committing overt act.

Learned counsel for petitioner submits that except taking the name of this petitioner in the confessional statement of Balwant Singh, there is no allegation of overt act against this petitioner. Learned counsel for petitioner has further submitted that co-accused, namely, Anant Pandey has already been granted regular bail by this Hon'ble Court by order dated 11.02.2019 passed in Criminal Miscellaneous No. 7833 of 2019.

Petitioner is in custody since 28.06.2018 having clean antecedent.

Considering the aforesaid, let the petitioner, above named, be released 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 District and Sessions Judge-I, Bhojpur at Ara in connection with Barhara P.S. Case No. 43 of 2018, subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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