

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15705 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- TIKAPATTI District- Purnia

Umesh Kumar Mahto @ Umesh Mahto Son of Ram Raj Mahto Resident of
Village- Barghariya Tola, P.S.- Tikapatti, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-03-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection
with Tikapatti PS case no. 101 of 2018 registered for the offence
punishable under Sections 376/34 of Indian Penal Code.

The allegation is regarding the petitioner and one
other co-accused person namely Randhir Mahato having
confined the victim lady to her room and while the petitioner
was standing at the door of the house of the victim girl,
co-accused Randhir Mahato had committed rape with the victim
girl.

The learned counsel for the petitioner submits
that the petitioner has been falsely implicated in the present case
and there is no allegation against the petitioner herein of



committing any rape with the victim girl as is apparent from the statement made by the victim lady under Section 164 Cr.P.C. before the learned Judicial Magistrate-1st class, Purnea, hence there is no complicity of the petitioner in the alleged crime. It is further submitted that the petitioner is having clean antecedent and he is languishing in custody since 21.12.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st -cum-Special Judge (POCSO) Act, Purnea in connection with Tikapatti PS case no. 101 of 2018.

(Mohit Kumar Shah, J)

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