

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18203 of 2019**

Arising Out of PS. Case No.-499 Year-2018 Thana- KAHALGAON District- Bhagalpur

DOMAN MAHTO Son of Late Shankar Mahto, Resident of Village-Mahesha
Munda, P.S-Kahalgaon, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Rina Sinha

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 20-05-2019 Heard learned counsel for the parties.

The petitioner seeks regular bail in connection with Kahalgaon P.S.Case No.499 of 2018 dated 31.7.2018 , registered for offences punishable under Sections 376, 511 of the Indian Penal Code and Sections 4/6 of the POCSO Act, 2012 and Section 37(C) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is that in drunken condition, he attempted to commit rape upon the five years minor daughter of the informant.

Submission of the learned counsel for the petitioner is that he is agnate and the allegation of rape is false and concocted that has not been supported in the medical report and even the statement of the girl has not been recorded under



Section 164 Cr.P.C. He is in custody for ten years.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge, First cum Special Judge, POCSO Act, Bhagalpur in connection with G.R.Case No.3935 of 2018, Kahalgaon P.S.Case No.499 of 2018.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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