

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76681 of 2018

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

Sudama Mahto S/o- Late Sukdeo Mahto, Resident of Village- Ratanmala, P.S.
Majhauriya, District- West Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : Mr.Sri Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of
Majhauriya P.S. Case No. 373 of 2018, disclosing offences
under Section 376 of the Indian Penal Code and 4/5 (g) of the
POCSO Act, 2012.

Learned counsel, appearing on behalf of the
petitioner, appears to be correct in his submission that,
allegation of rape is against co-accused persons, namely,
Dhanilal Mahto, Sugan Mahto and Pradeep Mahto. It also
appears from the statement of the victim, recorded under
Section 164 of the Criminal Procedure Code, that the allegation
of criminal misconduct constituting offence under Section 376
of the Indian Penal Code, is against three persons. This



petitioner is father of co-accused, Dhanilal Mahto, who is said to have attempted to save the co-accused Sugan Mahto, who was apprehended by the villagers.

Considering the nature of accusation against this petitioner in the first information report, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Additional District Judge 1st Cum Special Judge, POCSO, Bettiah in connection with Majhauriya P.S. Case No. 373 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Ashish/-

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

