

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32663 of 2019

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

SIPAHI MAHTO Son of Kariman Mahto Resident of - Ward No. 10,
Ratanmala, P.S. - Majhauria, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyavrat Verma

For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Majhauria P.S.Case no.373 of 2018 dated 22.8.2018 , registered for offences punishable under Sections 376 and 376(D) of the Indian Penal Code and Sections 4/5 (g) of POCSO Act.

Prosecution story is of commission of rape on the informant by the co-accused persons and on *hulla* when the villagers came , the other accused persons came and got the miscreants freed.

Submission of the learned counsel for the petitioner is that neither he is named in the FIR nor he has been named in the statement recorded under Section 164 Cr.P.C. rather some



of the witnesses have stated that he was also involved in getting the other accused persons freed.

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, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order 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 1st cum Special Judge, Bettiah, District West Champaran in connection with Majhaulia P.S. Case No.373 of 2018 dated 22.8.2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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