

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.78118 of 2018**

Arising Out of PS. Case No.-515 Year-2017 Thana- BAKHTIYARPUR District- Patna

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1. Dharmendra Kumar, S/o Param Mahto,
  2. Jhimi Kumar S/o Naresh Mahto,
  3. Dukha Kumar @ Dukha @ Dukhan Kumar @ Dukhlal Deo Mahto S/o Laldeo Mahto, All are R/o Vill.- Dedaur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Sri S.M. Rahman

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

2      07-01-2019      Heard the parties.

The petitioners are apprehending their arrest in connection with Spl. Case No.171 of 2017 arising out of Bakhtiyarpur P.S.Case nO.515 of 2017 , registered for offences punishable under Sections 341, 323, 354(a)/34 of the Indian Penal Code and Section 12 of the Protection of Children From Sexual Offences, Act, 2012 (POCSO).

Allegation against the petitioners is that they misbehaved with the daughter of the informant and tried to outrage her modesty.

Submission of the learned counsel for the petitioners is that earlier to filing of this case the father of the petitioner had lodged a case against the informant and others for assaulting the



petitioner no.1 and in order to save their skin, the present case has been lodged.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ 1<sup>st</sup> cum Special Judge, POCSO, Patna in connection with Spl. (POCSO)) Case No.171 of 2017 (arising out of Bakhtiyarpur P.S.Case nO.515 of 2017) subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further direction to co-operate in the investigation of the case. .

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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