

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58442 of 2019

Arising Out of PS. Case No.-326 Year-2018 Thana- ARWAL District- Jehanabad

=====

Bhushan Singh @ Krishna Mahto , aged about 44 years, Male, Son of
Late Lakhan Mahto Resident of Village - Muradpur, Hujra Baidrabad, P.S.-
Arwal, District - Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Anil Kumar Saxena, Advocate
For the State : Mr.Nawal Kishore Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-11-2019 Heard Mr. Anil Kumar Saxena, learned Advocate

for the petitioner and Mr. Nawal Kishor Prasad, learned APP

for the State.

The petitioner, who is in custody since 04.01.2019,

seeks bail in connection with Arwal P.S. Case No.326 of

2018 which has been instituted for the offences under

Section 377 of the Indian Penal Code and Sections 3 and 4

of the POSCO Act, 2012.

It appears that the minor son of the informant was

subjected to buggery at the hands of the petitioner.

It has been submitted on behalf of the petitioner



that the report regarding the occurrence was lodged after three days, without there being any explanation for such delay. Apart from this, nothing specific has been stated in the FIR with respect to the source of information to the mother/informant about the occurrence. In such view of the matter, it has been submitted that the possibility of false accusation cannot be ruled out.

The medical report also does not support the accusation.

Considering all these aspects in holistic manner, specially the period of custody of the petitioner which is from 04.01.2019, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-1st, Jehanabad in connection with Arwal P.S. Case No.326 of 2018.

(Ashutosh Kumar, J)

BT/-

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

