

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58643 of 2019

Arising Out of PS. Case No.-27 Year-2018 Thana- BACHHWARA District- Begusarai

Mahesh Mahton @ Mahesh Mahto, Son of Late Sukhdeo Mahto, Resident of
Village - Chamtha, Balu Par, P.S.- Bachhwara, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-09-2019 This is an application for grant of anticipatory bail in connection with Bachhwara P. S. Case No. 27 of 2018 (POCSO Case No. 7 of 2018), disclosing offences under Sections 376 and 511 of the Indian Penal Code and Sections, 8 and 12 of POCSO Act.

Allegation against the petitioner is that he entered inside the house of the informant and attempted to commit rape on the victim girl, who is aged about 13 years.

Submission of the learned counsel for the petitioner is that police after investigation has not found the case true against the petitioner and submitted the final form, but learned Magistrate has taken cognizance under Sections 354 of IPC and Section 12 of POCSO Act in this case.

Heard learned A.P.P. also, who has opposed the prayer



for anticipatory bail stating that apart from the allegation there is a case also under POCSO Act.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned Special Court for regular bail, which will be considered by the learned Special Court and if possible, be disposed of on the same day.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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