

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3961 of 2019**

Arising Out of PS. Case No.-27 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

1. Sujit Kumar, Son of Late Lal Babu Mahto
2. Raju Kumar @ Thakma @ Shatrudhan Kumar, Son of Late Chandeshwar Mahto
Both Resident of Village - Inrawa, P.S.- Kanhauli, District - Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 28-11-2019 This appeal has been preferred for setting aside the order dated 07.08.2019 passed by the learned Special Judge POCSO Act, Sitamarhi in Sitamarhi (Mahila) P.S. Case No.27 of 2019 registered for the offence alleged under Sections 376(D), 276(D)(A), 376(D)(B), 354(B), 354(C) and 354 (D) of the Indian Penal Code, Sections 6 and 8 of POCSO Act, Sections 3(2)(r) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, Section 27 of the Arms Act and Sections 67, 67(A) and 67(B) of the I.T. Act. By the impugned order, the regular bail application of the appellants has been dismissed by the learned court below.

Learned counsel for the appellants submits that the



appellants are innocent and they have falsely been implicated in the present case with oblique motive.

Learned Spl. P.P. for the State has opposed the appeal.

Considering the facts and circumstances of the case wherein it appears on perusal of the case diary that there are sufficient materials and in paragraph 102 the result of examination of the various articles seized satisfies this Court that it is not a fit case for bail, at this stage, this Court would not be willing to grant regular bail to the appellants.

This appeal is dismissed.

(Rajeev Ranjan Prasad, J)

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