

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65223 of 2019

Arising Out of PS. Case No.-196 Year-2019 Thana- BARHARIA District- Siwan

Vishwakarma Mahato Son of Late Swami Nath Mahto Resident of Village -
Piperahi, P.S.- Barharia, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Barharia
P. S. Case No. 196 of 2019, registered for offence punishable
under Section 376(D) of the Indian Penal Code and Section 4/6
of POCSO Act.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and has falsely been
implicated in the present case. Further submission is that there is
inordinate delay of three days in lodging FIR without plausible
explanation. It appears from the Annexure 4, that doctor has
found no Spermatozoa seen either dead or alive. He further
submits that earlier in the year 2017 both the parties have
lodged FIR against each other regarding quarrel between Hindu



Community and Muslim Community. The petitioner is in custody since 10.06.2019.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan, District Siwan in connection with Barharia P.S. Case No. 196 of 2019.

(Arvind Srivastava, J)

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