

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22782 of 2020

Arising Out of PS. Case No.-33 Year-2019 Thana- MAHILA P.S. District- Saran

TRIBHUWAN MAHTO S/o Shatrughan Mahto @ Shatrohan Mahto Resident
of Mohalla-Daulat Ganj, Adda No.5, Police Station-Bhagwan Bazar, District-
Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 341, 323, 354(B) of the Indian Penal Code and Section 8 & 12 of the POCSO Act.

Informant in her written complaint has alleged that on 19.07.2019 at about 1:00 pm (afternoon) when after returning from school she was going to ease herself accused-petitioner caught her and tried to drag her in the bush with ulterior motive then villagers present there namely Govind Kumar, Saroj Kumar and two others freed her.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



ulterior motive. Petitioner saw the Informant with Govind Kumar and Saroj Kumar in compromising position and when he scolded them they thrashed him due to which he sustained injuries also (Annexure-3). It has been further submitted that petitioner was not apprehended at the spot and was subsequently framed.

Petitioner has got no criminal antecedent and is in custody since 20.07.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Saran Mahila P.S. Case No. 33 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or



the witnesses of the case, in that case, prosecution will be at
liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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