

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29385 of 2020

Arising Out of PS. Case No.-35 Year-2018 Thana- MAHILA P.S. District- Samastipur

SUBODH KUMAR MAHTO Son of Sone Lal Mahto Resident of Village-
Mohamadpur kawari, P.S.- Vaini (O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Verma
For the Opposite Party/s : Mr. Ram Naresh Rai, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 11-12-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Samastipur Mahila P.S. Case No. 35 of 2018, G.R. No. 855 of
2018 for the offence under Section 376 of the Indian Penal
Code and Section 4 of the POCSO Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
F.I.R. has been lodged after lapse of one month from the date
of alleged occurrence without explaining the plausible delay
which creates doubt over the prosecution version. Moreover,
no medical report is available on record to support the



allegation levelled against the petitioner. Moreover, the matter has been compromised between the parties which is evident from Annexure-2. The petitioner is rotting in custody since 05.02.2020.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing his personal bond to the satisfaction of learned Special Judge, POCSO Act, Samastipur in connection with POCSO Act, Samastipur in connection with Samastipur Mahila P.S. Case No. 35 of 2018, G.R. No. 855 of 2018.

(Arvind Srivastava, J)

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