

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20559 of 2021**

Arising Out of PS. Case No.-99 Year-2019 Thana- BARHARIA District- Siwan

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LAXMAN MAHTO SON OF SHEO SHANKAR MAHTO Resident of
Village - Dhanaon Tole Kudiapur, P.s.- Barharia, Distt.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A, 363 and 34 of the Indian Penal Code and sections 3(1)(r)(s) of the SC & ST Act. Subsequently, cognizance was taken under section 9 of the POCSO Act.

As per the prosecution case, the minor daughter of the informant was kidnapped by accused Saytendra Mahto. It is stated that while searching for her, on going to the house of the aforesaid Saytendra Mahto, the four named accused persons including the petitioner herein abused him in the name of his caste.

It is submitted by learned counsel for the petitioner



that from perusal of the FIR itself it would be evident that the main allegation is against Satyendra Mahto. The petitioner has been falsely implicated in the case. Satyendra Mahto has been enlarged on bail vide order dated 22.5.2020 passed in Cr. Appeal (SJ) no. 5240 of 2019. The petitioner is in custody since 16.1.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the materials on record, grant of bail to accused Satyendra Mahto, nature of allegation against this petitioner together with charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Barharia P.S. Case no. 99 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO, Siwan.

(Partha Sarthy, J)

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