

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32210 of 2021**

Arising Out of PS. Case No.-388 Year-2020 Thana- NAUBATPUR District- Patna

MANTU KUMAR @ MINTU KUMAR S/O Jai Prakash Rai R/O Ram
Charan, Chatani, P.S. Naubatpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr. Raj Kishore Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 15-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Special Case No. 140 of 2020, arising out of Naubatpur Police
Station Case No. 388 of 2020, registered for the offences
punishable under Sections 341/323/354-B/504/506/34 of the
Indian Penal Code and Sections 8/12 of the Protection of
Children from Sexual Offences Act, 2012.

The allegation, as per the First Information Report, is
that the petitioner, along with other accused persons, entered
into the room of the informant where her two minor daughters
were sleeping and the accused persons tried to close the mouth
of the daughters of the informant.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case by the informant due to the fact that earlier the neighbour of the informant had lodged Naubatpur Police Station Case No. 16 of 2006, in which the husband of the informant (now deceased) and her brother-in-law were made accused for the offences punishable under Sections 328/302/34 of the Indian Penal Code. He further submits that the father of the petitioner and the father of co-accused Pappu Kumar are the chargesheeted witnesses in the said case. He further submits that even from perusal of the First Information Report, no sexual intent has been alleged against the petitioner. He next submits that the petitioner is in custody since 25.02.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the father of the petitioner and the co-accused are the chargesheeted witnesses in the case filed against the husband and brother-in-law of the informant, no sexual intent has been alleged in the First Information Report, charge sheet has already been submitted and the petitioner is in custody since 25.02.2021, I am inclined



to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Mantu Kumar @ Mintu Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO, Patna, in connection with Special Case No. 140 of 2020, arising out of Naubatpur Police Station Case No. 388 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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