

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50503 of 2021

Arising Out of PS. Case No.-408 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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TUNTUN MAHTO Son of Ashok Mahto Resident of Village - Dhoi, P.S.-
Sadar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Adv.
For the Opposite Party/s : Ms. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-04-2022 Heard Mr. Baidya Nath Prasad, learned counsel for

the petitioner and Ms. Shaheen Begum, Additional Public

Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Sadar
PS Case No. 408/2020 registered for the offence punishable
under Sections 366(A), 504, 506/34 of the IPC.

As per First Information Report, the petitioner
allegedly abducted the minor daughter of the informant aged
about 17 years.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to oblique
motive and there was love affair between the petitioner and the
victim girl. The victim girl appeared herself before the police



and her statement under Section 164 CrPC was recorded wherein she has stated that her father wanted her to marry with an old person who is not of her liking due to which the victim girl left her house and started working as maid-servant and subsequently, solemnized marriage with the petitioner. Learned counsel further submits that the victim girl, at the time of recording of her statement before the Magistrate, has disclosed her age to be 22 years.

Learned counsel next submits that the petitioner is in custody since 19.03.2021 and the charge-sheet in the matter has been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidences.

On the other hand, learned counsel for the State submits that in the medical examination the age of the victim girl has been assessed as 16 to 17 years.

Regards being had to the submissions made by the parties and taking into consideration the material on record, the statement of the victim girl recorded under Section 164 CrPC and the fact that the petitioner is in custody since 19.03.2021 and the charge-sheet in the matter has been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, TUNTUN MAHTO 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 Act), Darbhanga in connection with Sadar PS Case No. 408/2020, GR No. 44/2021.

(Anil Kumar Sinha, J)

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