

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58455 of 2021

Arising Out of PS. Case No.-724 Year-2020 Thana- MAJHAULIA District- West Champaran

1. Mahendra Mahato Son Of Mohan Mahato R/O Village- Piyaarti, P.S.- Ramgarhva, District- West Champaran
2. Shanti Devi Wife Of Mohan Mahato R/O Village- Piyaarti, P.S.- Ramgarhva, District- West Champaran
3. Pramod Mahato Son Of Mahendra Mahato R/O Village- Piyaarti, P.S.- Ramgarhva, District- West Champaran
4. Gagan Mahato @ Gagan Kumar Son Of Mahendra Mahato R/O Village- Piyaarti, P.S.- Ramgarhva, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioners and learned
APP for the State and perused the case diary.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code, Section 12 of the POCSO Act and Sections 3(i)(r) of the SC/ST (POA) Act.

It is a case of abduction of the informant's daughter by the accused persons including the petitioners.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He



further submits that after recovery of the victim, her statement was recorded under Section 164 of the Cr.P.C as well as Section 161 of the Cr.P.C vide para-54 of the case diary, she has not whispered any words against these petitioners who are the father, mother and brothers of the main accused Raju. She has also asserted before the Investigating Officer that she solemnized the marriage with the main co-accused Raju Mahto @ Raju Kumar @ Raja. He further submits that the main co-accused Raju Mahto, who is alleged to have taken the victim, got the privilege of anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 58842 of 2021 vide order dated 11.07.2022.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO)-cum-ADJ-6th, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 724 of 2020, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

U		T	
---	--	---	--

