

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9295 of 2023

Arising Out of PS. Case No.-283 Year-2022 Thana- BIBHUTIPUR District- Samastipur

MANTUN KUMAR @ MANTUN YADAV @ MANTOON YADAV Son of
Late Kishundeo Yadav R/v- Singhia Ghat, P.S.- Bibhutipur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 376(D) of the Indian
Penal Code, Sections 4/6 of the POCSO Act and Sections 3(1)
(r)(s), 3(1)(w)(i)(ii), 3(2)(v)(va) of the SC/ST Act.

The allegation against the petitioner along with others
is of committing rape upon the informant.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. According to the statement of the victim
girl, which has recorded u/s 164 of the Cr.P.C., in which she
does not whisper about the complicity of this petitioner in



commission of rape rather specific allegation of commission of rape is against others co-accused namely Mukesh Yadav and Sanjay Yadav. Petitioner was only a supporter of the co-accused. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 13.07.2022.

The application for bail is opposed by learned APP for the State, learned counsel for the informant and submitted that petitioner was present at the time of occurrence.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Court (POCSO), Samastipur in connection with Bibhutipur P.S. Case No. 283 of 2022.

(Sunil Kumar Panwar, J)

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