

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16109 of 2022

Arising Out of PS. Case No.-356 Year-2020 Thana- MAJHAULIA District- West Champaran

MANOJ MAHTO GAYA MAHTO Resident of Village-Karamwa, Ward No.-
6, Police Station- Majhauriya, District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-01-2023 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 354A, 493, 496, 509, 376D, 312 and 313 of the Indian Penal Code and Sections 3, 4, 5 and 6 of Immortal Traffic Prevention Act.

As per the prosecution case, the informant states that 19 year old Nisha Das disclosed to her about the co-accused Sanjay Mahto having married her and having forced her to indulge in establishing relations with others. He also used to beat her up. The informant states that he used to force her to establish relations with the other accused including the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Even from



the contents of the F.I.R it would transpire that the main allegation is against co-accused Sanjay Mahto and not the petitioner herein. The said Nisha Das has not supported the allegation in her statement under section 164 of the Cr.P.C. The petitioner is in custody since 18.10.2021 and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for bail, however he admits that the aforesaid Nisha Das has not named the petitioner in her statement under section 164 of the Cr.P.C.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the contents of the statement of Nisha Das under section 164 of the Cr.P.C together with the petitioner having remained in custody for more than 1 year since 18.10.2021 and the investigation in the case having concluded, the petitioner is directed to be enlarged on bail in connection with Majhauria P.S. Case no. 356 of 2020 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 Chief Judicial Magistrate, Bettiah.

(Partha Sarthy, J)

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