

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38879 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- SAHEBPUR KAMAL District- Begusarai

Hardev Kumar @ Hardev Mahton @ Hardeo Mahto S/O Ram Vilash Mahto
@ Rambilash Mahto R/O Panchveer, P.S- S. Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 376 AB/ 324/354(b) of the Indian Penal Code and Section 4/6 of the POCSO Act.

The prosecution case as per F.I.R is that co-accused Sohan Kumar @ Chhotu and Bablu Kumar committed rape upon the victim girls. It is alleged against the petitioner that he helped the accused persons to flee away from the place of occurrence.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. The specific accusation of committing rape upon the victim is not against the petitioner. It is further submitted that similarly situated co-accused was granted bail by the learned Court below but petitioner was denied to grant bail keeping in mind the criminal antecedent of the petitioner. The petitioner has no concern with the accused persons and due to village politics, the petitioner has been roped in the present case. The petitioner is languishing in custody since 25.04.2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Court of POCSO Act-cum-Additional Sessions Judge-VI,
Begusarai in connection with POCSO Case No. 39 of
2023, arising out of S. Kamal P.S. Case No. 68 of 2023.

(Sunil Kumar Panwar, J)

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