

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45534 of 2023

Arising Out of PS. Case No.-624 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

VISHAL KUMAR @ VISHAL KUMAR MAHTO SON OF SATYA
NARAYAN MAHTO MOHALLA- BELWAGANJ PS- LAHERIASARAI
BALBHADRAPUR DIST- DARBHANGA

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 341, 342, 354A, 354DB, 354D, 376, 504, 506, 509/34 of the Indian Penal Code and U/s 8 and 12 of the POCSO Act.

3. On the alleged date and time of occurrence, while the informant was returning from the marriage ceremony of her 'mohalla', meanwhile this petitioner along with other co-accused persons tried to outrage the modesty of the victim and also snatched mobile phone of the victim.



4. It is submitted that both the parties are neighbour and there is love affair between younger brother of the petitioner (Sunil Mahto) and the victim but victim's parent was against their love relationship, so that's why petitioner has falsely been implicated in this false and concocted case. Moreover, prosecution case is further falsified by the certificate of the then Ward Councilor of the concerned ward of Darbhanga that on the day of occurrence there was no marriage ceremony in the Mohalla as alleged in the prosecution, as such, this petitioner has not committed any offence as alleged in the prosecution. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned learned Spl. Judge (POCSO Act), Darbhanga in connection with Laheriasarai P.S. case no . 624 of 2022, subject to the conditions laid down under section 438(2) of the



Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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