

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61338 of 2023

Arising Out of PS. Case No.-14 Year-2021 Thana- TEYAR District- Bhojpur

Ravi Kant Mahto S/O Late Krishna Mahto R/O Village- Pasaur Tola, Ps. Piro,
Dist. Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-09-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Tiyer P.S. Case No. 14
of 2021 dated 09.03.2021 registered for the offences punishable
u/ss 120B, 366, 363, 365, 376, 376E, 354 and 354B of the
Indian Penal Code.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have abducted the
complainant and committed rape on her.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the victim has not raised any alarm during the course of travelling to Delhi and Haryana. The victim is a major girl. The specific allegation of sexual assault is against the co-accused Ritesh Mahto @ Sukhdayal Mahto. There is no statutory compliance of section 53A and 164A of the Cr.P.C. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 19.04.2023 passed in Cr. Misc. No. 63256 of 2022. The petitioner is also accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 05.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Tiya P.S. Case No. 14 of 2021, with the condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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