

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67239 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- BIBHUTIPUR District- Samastipur

RAUSHAN KUMAR SON OF RAM UDAY MAHTO RESIDENT OF
WARD NO. 11, VILLAGE - SUKSENA, P.S. - BIBHUTIPUR, DISTRICT -
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-10-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. Petitioner apprehends arrest in connection with
Bibhutipur P.S. Case No. 105 of 2023 registered for the offences
under Sections 341, 342, 323, 366-A, 376-D, 504, 506 and 34 of
the Indian Penal Code and Section 3 (1) (r), 3(1)(s) of the SC/ST
(POA) Act & Section 3 & 8 of the POCSO Act.

3. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in the
instant case. Further submission is that this case is counter blast
of the case which the father of the petitioner has filed against the
informant before the Sarpanch numbered Case No. 17 of 2022
as contained at Annexure-P-3. It is also submitted that the



informant is a habitual litigant as she filed complaint case against the petitioner *vide* complaint case No. 343 of 2022 at Annexure-P-4 and she also lodged another FIR against the other persons *vide* Bibhutipur P.S. Case No. 194 of 2020 dated 16.07.2020 annexed at Annexure-5. Petitioner has no criminal antecedent.

4. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner, above named is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of Additional Session Judge-VI-cum-Special Court (POCSO), Samastipur in connection with Bibhutipur P.S. Case No. 105 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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