

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3846 of 2023

Arising Out of PS. Case No.-49 Year-2015 Thana- MAHILA P.S. District- Bhagalpur

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SUKESH KUMAR MAHATO @ SURESH KUMAR MAHATO @
SUJKESH MAHATO S/O RAM RAKSHA MAHATO @ RAM RAKSHA
PD. YADAV Resident of village- Shrirampur, P.S.- Akbarnagar, District-
bhagalpur. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-05-2023 Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Special POCSO Case No.2826 of 2015, arising out of
Mahila P.S. Case No. 49 of 2015, registered for the offences
punishable under Sections 376, 420, 366(A)/34 of the Indian
Penal Code.

The learned counsel for the petitioner has submitted
that the petitioner was granted bail by a co-ordinate Bench of
this Court vide order dated 26.05.2016 in Cr. Misc. No. 16204
of 2016. He surrendered before the court below and furnished
his bail bond on 31.05.2016. He was regularly appearing in the
court below till 09.01.2020, but he became absent after
09.01.2020, since the petitioner was the only bread earner of his
family and he was out of State in order to earn his livelihood.



The bail bond was cancelled on 18.03.2021 and he surrendered on 26.07.2022 and till then, he is under custody.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned VI Additional Sessions Judge-cum-Special Judge, POCSO Act, Bhagalpur in connection with Special POCSO Case No.2826 of 2015, arising out of Mahila P.S. Case No. 49 of 2015, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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