

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29526 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- BENIPATTI District- Madhubani

Chhotu Mahto @ Raushan Kumar Mahto, S/o Late Shyam Mahto @
Shyamna Mahto Resident of Village Djhaksari P.S. Arer, District - Madhubani
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Benipatti P.S. Case No. 127 of 2023 registered for the offence
under Sections 420, 342, 376, 379 and 34 of the Indian Penal
Code.

3. As per the prosecution case, the petitioner is
said to have committed rape upon the victim girl.

4. After perusal of the materials available on
record, it appear that this is a case of consensual sex. The
petitioner is in jail since 22.01.2024.

5. Considering the aforesaid facts, this
application is allowed.

6. Let the petitioner, above named, be released
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 Additional Chief Judicial Magistrate, 1st , Benipatti in connection with Benipatti P.S. Case No. 127 of 2023.

7. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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