

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50884 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- HARSIDHI District- East Champaran

Mahendra Mahato, (M), aged about 35 years, son of Ishwar Mahato, R/O
Village- Bhada, P.S- Harsidhi, Distt.- East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sudama Mahato, son of late Asharfi Mahato, resident of village-
Bhada, PS- Harsidhi, District- East Champaran at Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Ranjan, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Harsidhi PS Case No.244 of 2024 dated 03.05.2024, instituted
for the offence punishable under Sections 147, 148, 149, 447,
341, 323, 324, 325, 354, 354-B, 427, 379, 307, 504 of the Indian
Penal Code and Sections 8 and 12 of the Prevention of Children
from Sexual Offences Act.

3. Allegation against the petitioner is that he assaulted
the informant with *farsa* on the head of the informant.

4. Learned counsel for the petitioner submits that
there is specific allegation against the petitioner of assaulting
the informant on his head by means of *farsa* but the injury
report of the informant shows that the nature of injury sustained



by the informant is simple in nature. Further submission is that it is admitted case of the parties that there is land dispute between the parties. There is case and counter case between the parties. Counter case has been lodged by the cousin of the petitioner vide Harsidhi PS Case No.245 of 2024 under Section 307 and other allied sections of the Indian Penal Code. Further submission is that no offence under the Prevention of Children from Sexual Offences Act is made out against the petitioner. Petitioner is in custody since 04.05.2024 having clean antecedents. Charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 6th Additional Sessions Judge cum Special Judge, POCSO, East Champaran at Motihari, in Harsidhi PS Case No.244 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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