

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55039 of 2024

Arising Out of PS. Case No.-185 Year-2015 Thana- TARIYANI CHOWK District- Sheohar

Shiv Shankar Mahto S/o Pradeep Mahto R/o village - sarwarpur, P.S. -
Tariyani, Distt. - Sheohar Petitioner/s

Versus

1. The State of Bihar
2. Bachchi Devi Wife of Batahu Ram Resident of Village- Sarbarpur, P.S.-
Tariyani, District- Sheohar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 22-08-2024 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Tariyani P.S. Case No. 185 of 2015 for the offences punishable under Sections 366(A)/34 of the IPC and Section 3(i) (xii) of SC/ST Act, later on Sections 363, 364, 302, 201 and 376(D)/34 of the IPC and Section 3(1) (XII), 3(2)v of the SC/ST (Prevention of Atrocities Act) and Section 4, 6 of the POCSO Act.

3. As per allegation, the accused persons including the petitioner kidnapped the minor daughter of the informant.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the petitioner is not named in the FIR. Co-accused Bigu Kumar has rendered his



confessional statement in which he has named this petitioner. Except this, there is nothing against the petitioner. He has also submitted that on exactly similar footing, co-accused Amarnath Mahto @ Amarnath Kumar has been granted bail by a co-ordinate Bench of this Court in Criminal Appeal (SJ) No. 399 of 2017. The petitioner is a person of clean antecedent and is under custody since 19.04.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. 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 Additional Sessions Judge-cum-Special Judge, SC/ST POCSO Act, Sheohar in connection with Tariyani P.S. Case No. 185 of 2015, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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