

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65509 of 2024

Arising Out of PS. Case No.-115 Year-2023 Thana- RAGHOPUR District- Vaishali

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1. Subodh @ Subodhi Mahto S/O Nageshwar Mahto R/O Village -Fatehpur, P.S.- Raghapur, District- Vaishali
 2. Sankar Mahto S/o Nageshwar Mahto R/O Village -Fatehpur, P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari D/o Dharmendra Mahto R/o Vill - Fatehpur, Nayka Pari, P.S. - Raghapur, Distt. - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Raghapur P.S. Case no.115 of 2023 registered for the offence punishable under sections 307, 354B, 379, 341, 323, 324, 448, 427, 504, 506 and 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states that over a trivial dispute, co-accused Manoj Mahto assaulted her brother as also the informant. It is further stated that the other co-accused persons including the two petitioners herein entered the informant's house and took away ornaments and



Rs.20,000/ in cash.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the case. From perusal of the FIR, it would transpire that the main allegation is against co-accused Manoj Mahto who has himself been enlarged on bail vide order dated 21.3.2024 passed in Cr. Misc. no.1234 of 2024. The allegations against these petitioners are general and omnibus in nature and they undertake to cooperate in the case/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR against these petitioners, the main allegation being against co-accused Manoj Mahto who has himself been enlarged on bail vide order dated 21.3.2024 passed in Cr. Misc. no.1234 of 2024, it is directed that both the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Raghopur P.S. Case no.115 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned A.D.J. VI-cum-Special Court,
POCSO Act, Vaishali at Hajipur, subject to the conditions as laid
down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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