

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75680 of 2024

Arising Out of PS. Case No.-237 Year-2021 Thana- GOVINDGANJ District- East
Champaran

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Mantosh Mahato S/O Late Jhagru Mahto R/O Village--Gurha ,P.S-Govind
Ganj ,District-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prem Shankar Singh S/O Late Manager Singh R/O - Pipra ,P.S-Govind
Ganj ,District-East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Govindganj P. S. Case No.237 of 2021 under Sections 363, 365, 366, 366A and 34 of the Indian Penal Code read with section 8 of the POCSO Act.

3. As per the prosecution, the FIR has been lodged against 4 named accused persons including the petitioner against whom there is allegation that the petitioner was a teacher who used to teach the informant's daughter, had fled away with her.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that on previous occasion, this Court has pleased to call for a



case diary and statement of the victim under section 164 of the Cr.P.C. Upon going through the statement of the victim, it transpires that the alleged victim has not said anything against the petitioner.

5. Learned Counsel also submits that antecedent of the petitioner is not clean. There is one criminal case pending against him in which he is on bail.

6. Learned APP for the State opposes the prayer for bail, but admits that the alleged victim has not disclosed anything against the petitioner.

7. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of 6th Additional Sessions Judge-cum-Special Judge POCSO Act, Motihari, East Champaran in connection with Govindganj P. S. Case No.237 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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