

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55327 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- KADWA District- Katihar

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BASANT MAHTO @ BASANT LAL MAHTO S/o Raghuni Mahto R/o
Village- Naya Tola, Gopi Nagar, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh

For the Opposite Party/s : Mr.Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kadwa P.S. Case No.74 of 2019 registered under Sections
341, 323, 307, 354(B), 504 and 506/34 of the Indian Penal
Code.

The accusation is that on 16.03.2019 at about 02.00
P.M., when the informant was present at her field, then the
petitioner along with Ravindra Mahto and Ramchandra Mahto
came there and started to ask the informant that either they
would cause assault to her or outrage her modesty. When the
informant made protest, then they started to abuse her. Due to
fear, when the informant started coming to her house, then they



chased her and came to the door of the informant and asked the informant that she is alone in her house and if she would tell anything in excess, they would kill her. When the informant made protest, they caught hold of the informant and tried to commit rape on her but they could not succeed. On alarm being raised by the informant, when her sister Anita Devi came there, they started to cause assault to the informant and her sister through iron rod and knife. When the sister of the informant fell down on the ground due to assault caused by them, they caused injury on the head of the informant through iron rod and knife, due to which the informant fell down on the ground having become unconscious. Thereafter, other accused, named in the F.I.R., also came there and while abusing the sister of the informant, they caused assault to her through lathi, fists and slaps and tied her in the electric pole.

Learned counsel for the petitioner submits that the petitioner and the other accused are next door neighbour of the informant and due to land dispute, the informant has lodged the present case only to put pressure upon the petitioner and others. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his



arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in connection with Kadwa P.S. Case No.74 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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