

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56904 of 2019

Arising Out of PS. Case No.-662 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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AMARJEET MAHTO Son of Munarik Mahto Resident of Village - Purani
Panapur, P.S.- Akilpur, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dhanesh Mahto Son of Jugeshwar Mahto Resident of Village - Panapur,
P.S.- Akilpur, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

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

ORAL ORDER

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

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complain Case No.662(c) of 2017 registered under
Sections 147, 323, 452 and 380/34 of the Indian Penal Code
besides Section 27 of the Arms Act.

The accusation is that when the complainant/opposite
party no.2 was talking with his brother and mother, all of
sudden, all the accused, named in the complaint petition,
including the petitioner entered the house of the
complainant/opposite party no.2 and started to abuse. When the
complainant/opposite party no.2 made protest, they started to



cause assault to him through fists and slaps. At that time, this petitioner took away the box of the wife of the complainant/opposite party no.2 containing cloths, ornaments etc. from his house. The cause of occurrence is that before 1½ months, the petitioner had forcibly entered the house of the complainant/opposite party no.2 with an intention to outrage the modesty of his wife but the wife of the complainant/opposite party no.2 after raising objection and causing assault to him had ousted him from the house regarding which the complainant/opposite party no.2 had lodged Akilpur P.S. Case No.21 of 2017.

Learned counsel for the petitioner submits that, in fact, Rekha Devi, the wife of petitioner, had lodged Complaint Case No. 501(C) of 2017 against the complainant/opposite party no.2 and others in the court of the Additional Chief Judicial Magistrate, Danapur, Patna, due to that reason, the complainant/opposite party no.2 has lodged this complaint case with false allegation. Except one case, as detailed in paragraph-3 to this application, lodged by the present complainant/opposite party no.2, the petitioner has no criminal antecedent and in that case, the petitioner is on bail.

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 Shshree Nutan Kumari, Judicial Magistrate, Danapur, Patna, in connection with Complain Case No.662/c/2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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