

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60951 of 2019

Arising Out of PS. Case No.-1752 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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RAJ KUMAR MAHTO, aged about 41 years, Male, S/o Late Jaynandan Mahto, Resident of Village- Katra, P.S.- Katra, District- Muzaffarpur
... Petitioner

Versus

1. The State of Bihar
2. Sikilya Devi, W/o Nathuni Mahto, Resident of Village- Katra, P.S.- Katra, District- Muzaffarpur
... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Adv.
For the Opposite Parties : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Complaint Case No. 1752 of 2018, pending in the Court of the Sub Judge XV-cum-Additional Chief Judicial Magistrate, XIV, Muzaffarpur, for the offences alleged under Sections 323, 341, 354, 379, 363 and 364 of the Indian Penal Code.

The accusation is that while opposite party no. 2, Sikilya Devi, along with her husband, Nathuni Mahto, and daughter-in-law, Sunita Devi, was returning to their house from the house of the relative, in the way petitioner came on motorcycle and forcibly boarded Sunita Devi, daughter-in-law of the informant, and, at that time, the petitioner dashed to



opposite party no. 2 and her husband.

The submission of the learned counsel for the petitioner is that petitioner is the co-villager of the complainant/opposite party no. 2 and mere on suspicion having illicit relation by the petitioner with her daughter-in-law, complainant/opposite party no. 2 has lodged the present case.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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