

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15440 of 2020

Arising Out of PS. Case No.-398 Year-2019 Thana- BARH District- Patna

ARBIND TANTI Son of Loli Tanti @ Nandlal Das, Resident of Village-
Pachhiyari Malahi, P.S.-Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-09-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Barh P.S. Case No.398 of 2019 registered under Sections 341, 323, 354(B), 504, 506 and 34 of the Indian Penal Code and under Section 8 of the POCSO Act.

The informant Bacchu Mahto (father of the victim) alleged that the petitioner teased the minor daughter of the informant and also threatened her to commit rape. When the informant and others went to the house of the petitioner to complain, the petitioner and others assaulted the informant, Upendra Mahto and Dhari Mahto.

Learned counsel for the petitioner submits that the petitioner is innocent and he has in fact committed no offence. There is a counter version on the basis of the statement of the



petitioner being Barh P.S. Case No.397 of 2019 registered under Sections 341, 323, 504 and 506 of the I.P.C. The informant (petitioner) alleged that Bacchu Mahto (informant of the present case), Upendra Mahto, Dhari Mahto, Solo Mahto and Ranjay Mahto having armed with different weapons came and assaulted the informant (petitioner). It is submitted that the petitioner deserves anticipatory bail, but it appears that the informant made specific allegation against the petitioner that it was petitioner, who not only teased the minor daughter of the informant but also threatened her to commit rape and when the father of the victim went to the house of the petitioner, the petitioner and others assaulted the informant and others.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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