

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85048 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- MAHILA PS District- Aurangabad

Vijendra Mahto, aged about 35 years, Male, Son of Devraj Mahto, Resident of
Village - Chandi, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 07-09-2020 Heard both sides through video conferencing.

The petitioner apprehends his arrest in Mahila P.S.
Case No.45 of 2019, registered under Sections 376, 506 and 34
of the Indian Penal Code.

The informant alleged that her husband went to Goa
to earn his livelihood but in absence of her husband, her brother-
in-law, Sudhir Kumar @ Karu Mahto forcibly established
physical relation with her and threatened to kill her son. The
petitioner, Vijendra Mahto is also alleged to have forcibly
established physical relation with the informant.

Learned counsel for the petitioner submits that all
allegations are false and concocted. The petitioner is cousin
father-in-law of the informant. It is submitted that the informant
voluntarily established physical relation with her brother-in-law



and when this fact came to the knowledge of the petitioner, the petitioner made protest and that is why the petitioner has falsely been implicated in the case.

The learned Additional P.P. however, opposed the prayer for anticipatory bail and submitted that during the course of investigation, the witnesses have also reiterated the allegations made by the informant and disclosed that the petitioner forcibly established physical relation with the informant on threat to kill her son.

Taking into consideration the facts and allegations made against the petitioner and the fact that there is allegation against the petitioner, who happens to be cousin father-in-law of the informant, that he forcibly established physical relation with the informant, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

