

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12957 of 2021**

Arising Out of PS. Case No.-777 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. DILIP MAHTO Son of Chander Mahto @ Ram Chandra Mahto Resident of Village - Bhopatpur Puranidih Tola, P.S.- Kotwa (Bhopatpur O.P.), District - East Champaran.
 2. Madan Mahto Son of Kishun Mahto Resident of Village - Bhopatpur Puranidih Tola, P.S.- Kotwa (Bhopatpur O.P.), District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laungi Kumari Daughter of Chandrika Mahto Resident of Village - Bhopatpur Puranidih Tola, P.S.- Kotwa (Bhopatpur O.P.), District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 06-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 323, 341, 354B, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner no. 1 is that he



caught and touched the body of the informant and kissed her. It has been further alleged that the petitioner no. 2 took the photograph of the incident and threatened her to make the photograph viral.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that earlier father of the petitioner no. 2 has lodged the case against the father of the complainant, thereafter, by way of retaliation, the present false case was lodged. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioners.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Tr. No. 1975 of 2020 arising out of Complaint Case No. 777 of 2019 pending before the court of the learned Judicial Magistrate, Sadar Motihari.

If the petitioners surrender before the learned court below and pray for regular bail, the same shall be considered by



the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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