

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16487 of 2020

Arising Out of PS. Case No.-209 Year-2016 Thana- MADHAURAH District- Saran

BIRENDRA MAHTO @ THUTHA S/o Vishundev Mahto @ Vishundeo
Prasad R/o village- Talpuraina, P.S.- Madhowrah, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2021 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 504, 511 & 376 of the Indian Penal Code.

While the informant had gone to attend her call of nature, the petitioner is said to have tore her frock, caught her hair and also abused her.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. As a matter of fact, the mother of the informant, who was stealing the bundle of khair and petitioner objected, so this false case has been lodged against him. The allegation levelled against the petitioner is



not specific rather general and omnibus in nature. He has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that considering the seriousness of the allegation, the petitioner does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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