

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28145 of 2021

Arising Out of PS. Case No.-38 Year-2019 Thana- MAHILA P.S. District- Vaishali

GAJJU MAHTO Son of Sri Laldas Mahto Resident of village - Chhaukia,
Police station - Ganga Bridge, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-12-2021 Heard Mr. Dhirendra Kumar Sinha, learned counsel
for the petitioner and Mr. Akshay Lal Pandit, learned counsel
appearing for the State.

Petitioner seeks regular bail in connection with
Mahila P.S. Case No. 38 of 2019 registered for the offence
under Section 323 , 341 , 376, 511 , 34 of the I.P.C.

The allegation as per the First Information Report is
that petitioner along with two other persons entered into the
house of the informant and tried to commit rape upon her while
she was sleeping in the night.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to oblique
motive inasmuch as both the parties are co-villager and the
present case has been lodged as a counter blast to the case
lodged by the brother of the petitioner bearing Ganga Bridge
P.S. Case No. 179 of 2019 in which the petitioner as well as his
brother received injury from the side of the informant and her



family members. Learned counsel further submits that petitioner is in custody since 03.02.2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that brother of the petitioner has lodged a case against the informant and her family members just prior to the present occurrence due to some dispute regarding payment of money, both the parties are co-villager, petitioner is having no criminal antecedent and he is in custody since 03-02-2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Hajipur, Vaishali / concerned court in connection with Mahila P.S. Case No. 38 of 2019.

(Anil Kumar Sinha, J)

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