

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6105 of 2021

Arising Out of PS. Case No.-57 Year-2019 Thana- JURAWANPUR District- Vaishali

PRAMOD MAHTO Son of Shivchandra Mahto Resident of Village -
Raghopur Paschami, P.S.- Jurawanpur, Dist.- Vaishali. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 448, 323, 325, 376, 511, 504 & 506/34 of the Indian Penal Code.

The petitioner is said to have entered into the house of the informant and tried to commit rape with his wife by shoving her on the ground. He also assaulted his wife by fist. On hearing hulla, when the informant reached there, the petitioner managed to escape by hurling pistol in his hand.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case due to ulterior motive. As a matter of fact, the occurrence is said to be held on 01.06.2019 at about 7 AM and the F.I.R. has been lodged on 02.06.2019 at about 15 PM in spite of the fact there police station is only five kilometers from the place of occurrence. It is further submitted that there is no iota of any clinching evidence nor any material on record to show the complicity of the petitioner in the occurrence as alleged. It is lastly submitted that the statement of the victim has not been recorded under Section 164 Cr.P.C. The petitioner has no criminal antecedent and has been languishing in custody since 06.04.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jurawanpur P.S. Case No.57 of 2019.

(Anjani Kumar Sharan, J)

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