

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8578 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- MADHUBANI TOWN District-
Madhubani

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BIJAY MAHTO @ BIJAY KUMAR MAHTO Son of Kailash Mahto
Resident of Mohalla - Bara Bajar, Ward No. 6, P.S. - Madhubani, District -
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar
For the Opposite Party/s : Mr.Ratanakar Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2021 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Madhubani Town P.S. Case No.41/2020, C.R.I. No.206/2020, registered for the offence punishable under Sections 420, 379, 384, 341, 323, 354(B), 354(D), 504, 506, 323/34 of the Indian Penal Code.

The allegation against the petitioner is that he tried to defame the informant in the society by making her indecent video and blackmailed her by giving threat to make it viral. It is alleged that after blackmailing her, he cheated Rs.1 Lac and ornaments



from the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to previous enmity. No such occurrence as alleged ever took place. It is further submitted that the anticipatory bail application was filed on 28.12.2020, thereafter 82 and 83 processes was issued against the petitioner. It is further submitted that the FIR was lodged on 04.02.2020 and occurrence took place on 18.04.2019, there is a delay of more than eight months in filing the FIR. The petitioner has no criminal antecedent.

Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submits that the anticipatory bail is not applicable because 82 and 83 process have been issued against the petitioner.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner named above.

Accordingly, the anticipatory bail application is hereby dismissed.

(Anjani Kumar Sharan, J)

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