

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6134 of 2022

Arising Out of PS. Case No.-626 Year-2021 Thana- KHAGARIA District- Khagaria

1. RAVINDRA MEHTA @ RAVI @ RAVINDRA MAHTO @ RAVI MAHTO @ RAVINDRA MAHTON Son of Sakal Deo Mahato Resident of Gogri, P.S.- Chautham, District- Khagaria (Bihar).
2. Kiran Devi Wife of Srikant Chaurasiya Resident of Mathuapur, Ward No. 16, Mathuapur, P.S.- Mathuapur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2022 Heard learned senior counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 376, 120(B), 506 and 34 of the Indian Penal Code read with Section 67 of the I.T. Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that she runs a beauty parlour shop and accused Kiran Devi used to visit her shop for learning and thus they developed a good relationship, it is next alleged that on 05.05.2021 in the evening, Kiran Devi came and requested the informant to



accompany her at the school of accused Ravindra Mehta (petitioner no.1) to help her in understanding the papers of scooty which she had taken from the co-accused, accordingly the informant went with her to the school of the petitioner where the petitioner took both of them in a room and offered some drink and after drinking she became senseless and thereafter it is alleged that the petitioner committed rape and even the occurrence was photographed, thereafter she disclosed the entire occurrence to her husband but on account of threat given by the petitioner, the case was not lodged and a compromise was entered as the informant was threatened that the video would be made viral.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the date of occurrence is 05.05.2021 and the F.I.R. was instituted on 08.08.2021 i.e., nearly after a delay of more than three months and for which there is no plausible explanation, it is next submitted that this informant is in habit of instituting false cases for committing extortion in support of which pleadings have been made at paragraph '11' of the anticipatory bail application and it is submitted that the informant had earlier also instituted Khagaria P.S. Case No. 478 of 2007 under Section 376 and



other allied Sections against the accused persons of that case and then in the trial she did not appear which led to acquittal. It is next submitted that there is no injury report available on record.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that there is an inordinate delay in instituting the F.I.R. without any plausible explanation, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khagaria P.S. Case No. 626 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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