

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60681 of 2021

Arising Out of PS. Case No.-213 Year-2020 Thana- DEEPNAGAR District- Nalanda

DILIP MAHTO Son of Raghu Nandan Mahto Resident of Village - Gulni,
P.s.- Deep Nagar, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, , Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 376, 511, 34, 323, 324, 354 of
the Indian Penal Code and 27 of the Arms Act.

Allegation against the accused persons including the
petitioner is of trying to commit rape upon the informant. The
petitioner is alleged to have fired but it did not hit the informant.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has been made accused in the present case due to mistake of fact. From perusal of order of the Sessions Court, it appears that in course of trial of other co-accused in connection with the same case, the victim has not supported the prosecution case and she has retracted from her earlier statement.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Deep Nagar P.S. Case No. 213 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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