

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24773 of 2023

Arising Out of PS. Case No.-113 Year-2021 Thana- BIRAUL District- Darbhanga

1. GULLI MAHTO Son of Late Latar Mahto Resident of Village - Itawa Shiv Nagar, P.S.- Biraul, District - Darbhanga.
2. Praveen Mahato @ Praveen Kumar Son of Gulli Mahto Resident of Village - Itawa Shiv Nagar, P.S.- Biraul, District - Darbhanga.
3. Chandan Kumar Mahto Son of Santosh Mahto Resident of Village - Itawa Shiv Nagar, P.S.- Biraul, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Mohan Tripathi
For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354(B), 379, 504, 509 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 3 (Chandan Kumar Mahto).
4. Permission is accorded.
5. The informant alleges that her minor daughter at 4:00 am had gone to ease herself, when Chandan caught her and



attempted to commit rape, but on alarm, the informant came to save her but Chandan assaulted both of them, it is next alleged that when she along with her husband and Rita went to complain to the parents of Chandan, it is alleged that petitioner No. 1 along with petitioner No. 2 and other female accused assaulted her with an iron rod and petitioner No. 2 tore her blouse making her semi-nude and the other accused persons also assaulted her husband and Rita.

6. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

7. Learned counsel for the petitioners next submits that the petitioners have been falsely implicated in the present case, it is next submitted that petitioner No. 1 and 2 being uncle and brother of Chandan have been falsely implicated.

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

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 trial court where
the case is pending/successor court in connection with Biraul
P.S. Case No. 113 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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