

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38921 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- LAURIA District- West Champaran

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HARENDAR MAHTO @ HARENDR MAHTO S/o- LAXMI MAHTO
Village- Teen Gachuli thakur tola Ward No-3, Parautola Ps- Lauriya Dist-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Ms.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-07-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Lauriya Police Station Case No. 221 of 2022, dated 07.07.2022, disclosing offences punishable under Sections 376/511/354-B/379/504 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 15.05.2022, the petitioner entered into the house of the informant and tried to commit rape upon her and also outraged her modesty.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to



previous quarrel between the children of both the parties, which had taken place on 15.05.2022 and a complaint in this regard was lodged by the sister-in-law of the petitioner on 07.06.2022. He further submits that there is inordinate delay of 24 days in lodging of the complaint and the First Information Report inasmuch as the occurrence has taken place on 15.05.2022, but the complaint has been lodged by the informant on 09.06.2022.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are neighbours, complaint case was filed regarding the quarrel between the children by the side of the petitioner prior to lodging of the complaint filed by the informant and there is inordinate delay of 24 days in lodging the complaint, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties



of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, West Champaran, at Bettiah, in
connection with Lauriya Police Station Case No. 221 of
2022, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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