

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40637 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- LALGANJ District- Vaishali

Sukhlal Mahto S/O Premchandra Mahto R/O Village- Purantand, P.S-
Lalganj, Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner in the present case is seeking pre-arrest bail in connection with Lalganj P.S. Case No. 08 of 2023 registered for the offences under Sections 341, 323, 354, 509, 504, 506, 34 of the Indian Penal Code. He has no criminal antecedent.

3. As per the prosecution story, on 02.01.2023 the FIR named accused persons, namely, Sukhlal Mahto (this petitioner), Balram Kumar and Sushila Devi came to the door of the informant and one Balram Kumar was pulling away the daughter of the informant. The accused persons had tried to outrage the modesty of her daughter. When the informant and her family members protested, this petitioner abused them badly and threatened to kill the son of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that both the parties are close-door neighbours and they were fighting on some petty issue.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case, the submission that both the parties are close-door neighbours and on some petty issues, there was a quarrel between the two families in which it is alleged that the co-accused Balram Kumar was pulling away the daughter of the informant, so far as this petitioner is concerned, the allegation against him is that he entered into the house of the informant and was abusing the informant and had also been threatening her by showing his genital, the submission being that these are false and flimsy allegations and in fact, in the alleged occurrence, nobody is injured, the petitioner has otherwise no criminal antecedent, hence, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Lalganj P.S. Case No. 08 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, VI -cum- Special Judge, POCSO, Vaishali, Hajipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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