

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51841 of 2023

Arising Out of PS. Case No.-451 Year-2022 Thana- ARA NAWADA District- Bhojpur

SANJAY MAHTO @ SANJAY KUMAR S/O BRAHAMSHWAR
DASAUNDHI R/O VILLAGE- PAKRI NEW COLONY, P.S- ARA
NAWADA, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with Ara
Nawada P.S. Case No.451 of 2022, registered for the offence
punishable u/s 376, 504, 506, 34 of the IPC and sections
66A/67A of the I.T. Act.

3. As per the prosecution case, the informant alleges that the
petitioner and one other named accused committed sexual
offence with her and gave threatening to make viral a video of
her, prepared by the accused persons.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case in order to extort money.
No such occurrence, in the manner as alleged, has ever taken



place. It is submitted that the medical examination of the victim does not corroborate the allegation made in the F.I.R. It is further submitted that there is contradiction in the statement made in the F.I.R. and in her statement recorded u/s 164 Cr.P.C. Some of the witnesses have not supported the prosecution case. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the victim has supported the prosecution case, in her statement recorded u/s 164 Cr.P.C.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that petitioner is an Advocate in Ara Court.

(Anjani Kumar Sharan, J)

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