

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54877 of 2023

Arising Out of PS. Case No.-300 Year-2022 Thana- AWTARNAGAR District- Saran

RAKESH MAHTO @ RAKESH KUMAR MAHTO S/O MITHU MAHTO
@ MITHU LAL MAHTO R/O VILLAGE- KOTHIYA SODA GODAM, P.S-
AWTAR NAGAR, DISTT.- CHAPRA (SARAN).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
Mr. Mani Bhusan Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Akbar Ali , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341 , 323 , 354 (B), 379
and 504 of the Indian Penal Code.

3. As per the prosecution case, while the informant
was returning from Dhananura Bazar to her house, on the way ,
this petitioner along with other co-accused person caught her
and threw her on ground and tried to outrage her modesty. It is
further alleged that accused persons also snatched her golden
Mangalsutra, golden ear top and took out Rs. 30,000/-.

4. It is submitted that both the parties are agnates and
due to land dispute between them this petitioner has been made



accused in this false and concocted case . F.I.R has been lodged after the delay of 16 days for which there is no plausible explanation , which itself creates doubt over the veracity of entire prosecution .

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate , Chapra Saran in connection with Awtar Nagar P.S. case no. 300 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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