

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20772 of 2024

Arising Out of PS. Case No.-30 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ram Bharosh Kumar @ Ram Bharosh Mahto Son Of Munshi Lal Mahto R/O-
Surauli, P.S.-BIBHUTIPUR, Distt.-SAMASTIPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. Salita Devi Wife Of Mahendra Mahto R/O-Surauli, P.S.-BIBHUTIPUR,
Distt.-SAMASTIPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Complaint Case No. 30 of 2022 in which cognizance has
been taken under Sections 323, 379 and 354B of the Indian
Penal Code.

3. As per the prosecution case, the petitioner entered into
the house of the complainant and tried to outrage her modesty.
The petitioner also threatened the complainant with pistol and
snatched ear ring and mangal sutra worth Rs. 80,000/- from the
complainant. He also threatened to kill the children of the
complainant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as the complainant had taken money from the petitioner and she wanted to grab the money. For this reason she has filed the cases against the petitioner though the petitioner is having online payment receipts made in favour of the complainant. Further, the complaint has been lodged after delay of 11 days for which there is no explanation. The petitioner is having criminal antecedent of one case and the said case was also lodged by this complainant.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and considering the history of monetary transaction and further considering the delay in lodging the case and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Samastipur in connection with Complaint Case No. 30 of 2022, subject to conditions as laid



down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Arun Kumar Jha, J)

Prakash/-

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