

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41753 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- MAHILA P.S. District- Samastipur

1. BINOD MAHTO @ VINOD MAHTO SON OF YOGI MAHTO Resident of village- Shitalpatii Ward no. 06 PS- Samastipur Muffasil District -Samastipur
2. ABHINANDAN KUMAR @ S.P. @ M.P. SON OF BINOD MAHTO @ VINOD MAHTO Resident of village- Shitalpatii Ward no. 06 PS- Samastipur Muffasil District -Samastipur
3. KUNDAN KUMAR SON OF BINOD MAHTO @ VINOD MAHTO Resident of village- Shitalpatii Ward no. 06 PS- Samastipur Muffasil District -Samastipur
4. LAKSHMI DEVI WIFE OF BINOD MAHTO @ VINOD MAHTO Resident of village- Shitalpatii Ward no. 06 PS- Samastipur Muffasil District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2024 At the outset, learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 2.

2. Permission is granted.

3. **The anticipatory bail application with respect to petitioner No. 2, namely, Abhinandan Kumar @ S.P. @ M.P. is dismissed as withdrawn.**

4. Heard the parties.

5. Petitioner Nos. 1, 3 & 4 apprehend arrest in a case



registered for the offences punishable under Sections 376, 341, 323, 324, 325, 354(C), 504, 506/34 of the Indian Penal Code.

6. It is alleged that on false pretext of marriage co-accused Chandan Kumar established physical relationship of the informant and later on, these petitioners, who are family members of co-accused Chandan Kumar, refused to marry and threatened the informant to make her obscene videos viral. It is further alleged that co-accused Abhinandan Kumar assaulted the informant as a result of which her right hand got fractured.

7. Learned counsel for the petitioners submits that specific accusation of commission of rape is against co-accused Chandan Kumar. So far these petitioners are concerned, there is no allegation of specific overt act against them.

8. In view of the aforesaid facts and circumstances of the case, the **anticipatory bail with regard to petitioner Nos. 1, 3 & 4 is allowed** and it is ordered that the above named petitioner Nos. 1, 3 & 4 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Samastipur in connection with Samastipur Mahila P. S. Case No. 5 of 2024,



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

