

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56929 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- BAHERI District- Darbhanga

Rahul Kumar Mahto @ Rahul Kumar Son of Rambabu Mahto R/V-
VILLAGE- BAHERI WARD NO. 13, P.S.- BAHERI, DISTT.-
DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-09-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Baheri Police Station Case No. 117 of 2024,
disclosing offences under Sections 341, 323, 376, 34 of the
Indian Penal Code.

3. As per the First Information Report, the petitioner
established physical relationship with the informant on promise
of marriage about two years back. About one year ago, the
informant informed the incident to petitioner's parents namely
Ram Babu Mahto and Malti Devi upon which his parents told
her that they would get the marriage performed with the
Petitioner/Rahul Kumar Mahto. Subsequently, the petitioner and



his family members refused to perform marriage with the informant.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with a conspiracy to put pressure upon the petitioner and his family members to marry the petitioner with informant. At the time of occurrence as alleged in the FIR, the age of the petitioner was sixteen years as would be evident from *Annexure 2*, which is the marksheet of Bihar School Examination Board, whereas, the age of the informant was more than the petitioner about twenty years. The informant was elder than the petitioner for about more than four years. The petitioner was minor at that point of time and could not have committed such kind of offence.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner was a minor, aged about sixteen years at the time of occurrence whereas the informant was elder than the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Darbhanga, in connection with Baheri Police Station Case No. 117 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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

