

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81038 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Satish Mahto @ Satish Kumar Son Of Late Ram Chandra Mahto R/O Village-
S.P. Kothi, Sikandra Road, P.S.- Kabaiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr.Rabi Bhushan, learned counsel for the

petitioner and Mr.Akhileshwar Dayal, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai Mahila P.S.Case No.19 of 2023,FIR dated 03.03.2023 registered for the offences punishable under Sections 341,354,354(B),379,448,504,34 of IPC.

3. The allegation against the accused petitioner is that on 21.02.2023 at about 02.00 PM petitioner Satish Mahto @ Satish Kumar has entered into the house of the informant and started to molest the informant and also tore her clothe. It is further alleged that when the informant raised alarm, the



accused petitioner snatched her gold earring and chain and fled away. It is further alleged that her gotni Sangita Devi abused her.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the present case is counter blast of Lakhisarai P.S.Case No.129 of 2023 which was filed by family members of the petitioner on 22.02.2023 against the informant and other family members. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 21.02.2023 but the present FIR has been instituted on 03.03.2023 after delay of more than ten days without giving any explanation of delay. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the present FIR has been instituted against the petitioner only to come out the case of Lakhisarai P.S.Case No.129 of 2023.

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

6. Considering the aforesaid facts, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Mahila P.S.Case No.19 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

