

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24667 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- GHOSWARI District- Patna

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1. Rajo Mahto @ Lav Kashyap @ Raja Mahto S/o Madho Mahto @ Radha Mohan Kashyap Resident of village- Karkain, PS- Ghoswari, District- Patna
2. Priyanshu Mahto @ Prince Kumar S/o Bipin Mahto @ Bipin Prasad Mahto Resident of village- Karkain, PS- Ghoswari, District- Patna
- Petitioner/s

Versus

1. The State of Bihar
2. Munni Devi W/o Binod Thakur R/o vill - Karkain, P.S.- Ghoswari, Distt.- Patna
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh
For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2025 At the outset, learned counsel for the petitioners submits that during pendency of this bail petition, petitioner no. 2 has been arrested and as such, this petition has become infructuous so far as petitioner no. 2 is concerned.

2. The anticipatory bail petition stands dismissed, so far as petitioner no. 2 is concerned.

3. Sole petitioners (i.e. petitioner no. 1 namely Rajo Mahto) apprehends arrest in a case registered for the offence under Sections 126(2), 74, 75(1), 77, 65(1), 3(5), 351(2) of B.N.S., 2023 and Sections 4, 8, 12 of the POCSO Act, 2012.

4. As per F.I.R., informant's minor daughter went to cut the grass alongwith her cousin sister, in the meantime, this petitioner and co-accused Priyanshu Mahto came there and on



the point of pistol, committed rape with informant’s daughter and also snapped her obscene picture and threatened her not to disclose the ordeal to anyone.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case to to land dispute. Medical report does not support the allegation, as contained in the F.I.R.

6. However, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that there is specific and direct allegation against this petitioner that he committed sexual assault to the victim (informant’s daughter). As per medical report, the age of the victim has been assessed as 16 years and in the statements, recorded under Section 183 B.N.S.S., the victim and her cousin sister have supported the prosecution case.

7. Considering the nature and gravity of offence as also 183 B.N.S.S. statement of the victim, the prayer for anticipatory bail of petitioner (Rajo Mahto) is also rejected.

(Prabhat Kumar Singh, J)

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