

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29972 of 2025

Arising Out of PS. Case No.-43 Year-2024 Thana- MAHILA PS District- Darbhanga

BIPIN MAHTO @ VIPIN MAHTO S/o- Krishna Mohan Mahto @ Krishan Mohan Mahto Resident of Village-Rarhiyam Police Station-Bahera District-Darbhangha

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Kumari D/o- Lal Mahto Village- Rarhiyam Ps- Bahera Dist-Darbhangha

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 376, 504, 506 of the Indian Penal Code and Section 4 / 6 of POCSO Act.

3. As per F.I.R, on 20.05.2024. while informant was at home with her minor sister, in the night at about 11:00 P.M. this petitioner entered in the house and committed rape upon her and also threatened her not to disclose the ordeal.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and entire prosecution case, as set out in the F.I.R., is *malafide* and has been filed with oblique motive. The present F.I.R. has been lodged in order to save



brother of informant from Bahera P.S. Case No. 178 of 2024, which was lodged by father of petitioner against brother of informant. Present case is just counter blast of Bahera P.S. Case No. 178 of 2024. He further submits that police after investigation submitted final form against petitioner, but differing with the same, the learned Magistrate took cognizance. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged 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 Special Judge (POCSO), Darbhanga in connection with Mahila P.S. Case No. 43 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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