

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40529 of 2025

Arising Out of PS. Case No.-225 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Pintu Mahto @ Pramod Kumar Mahto S/o Rajdeo Mahto Residet of Village-
Kudariya, P.O.- Parshurampur, P.S.- Barhara (Sinha O.P.), District- Bhojpur at
Ara (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi W/o Arjun Mahto R/o vill - Kudariya, P.O. - Parshurampur, P.S. -
Barhara (Sinha O.P), Distt- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Pandey, Advocate
For the Complainant	:	Mr. Raju Kumar Singh, Advocate
	:	Mr. Anju Kumari Sinha, Advocate
For the State	:	Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Mr. Abhay Kumar Pandey, learned counsel for

the petitioner, Mr. Raju Kumar Singh, learned counsel for the

Complainant and Mr. Shailendra Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 225 (C)of 2023 dated
08.02.2023 for the offences punishable under Sections 341, 323,
354 & 504 of the Indian Penal Code.

3. As per the Complaint Petition, the complainant
alleged that on 06.02.2023,when she was alone in her house, the
petitioner entered his house and tried to outrage her modesty.



When the complainant raised alarm, some people reached there. Thereafter the complainant went to the house of the petitioner and told the family members of the petitioner about the occurrence. After sometime the family members of the petitioner came to the house of the petitioner and assaulted her. It is further alleged that the accused persons took Rs.20,000/- and ornaments from her house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case due to some petty dispute. Infact the complainant is next door neighbour of the petitioner and the petitioner has filed Barhara (Sinha O.P.) P.S. Case No. 76 of 2023 against the complainant and her family members for the same set of allegation as alleged in the present Complaint Petition. He further submits that the allegation as alleged in the Complaint Petition is false and fabricated and the petitioner has no knowledge about the present Complaint Petition and when the learned Court below has taken cognizance then the petitioner had come to know about the present case.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances,



the petitioner has clean antecedent and there is case and counter case, let the petitioner, above named, in the event of 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Complaint Case No. 225 (C) of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 absence on two consecutive dates without sufficient reason, his 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



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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