

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68132 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Lakshmi Mahto @ Keshav Mahto @ Keshav Kumar S/O Ram Chandra
Mahto R/o Mokhtiarpur Salkhani, P.S.- Dalsinghsarai, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sakshi Suman D/O Umesh Rajak R/o Mokhtiarpur Salkhani, P.S.-
Dalsinghsarai, Dist.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar

For the Opposite Party/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-10-2025 1. 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 offences punishable under Sections 74, 76,
126(2), 115(2), 352, 3(5) of the B.N.S., 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that while she was returning home after delivering milk
at 6.30 P.M. on 27.01.2025, when Mohit intercepted her and
asked for her mobile number, on which, she disclosed that she
does not keep mobile, further in the meantime, petitioner came
and Mohit on seeing the petitioner, fled, next alleges that



petitioner asked what she was talking to the boy, on which, she disclosed that he was asking for her mobile number, on which, petitioner said that he is having illicit relations with the boy, thereafter petitioner acted inappropriately and forcefully took her behind Khajurbani and tried to commit rape but on alarm, passerby gathered and petitioner fled, the father of the petitioner tried to find the petitioner but was not able to locate him and next day when petitioner met he said that he will again commit such occurrence if they do not listen to him.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant by way of afterthought. It is next submitted that since petitioner saw the informant with Mohit and objected, hence came to be implicated three days after the occurrence on 30.01.2025 as the date of occurrence is 27.01.2025 and the FIR came to be instituted on 30.01.2025. It is also submitted that informant in the FIR alleges that she was saved by the help of passerby who brought her home but then the FIR does not disclose the name of the person who brought the informant back to her home, which also casts an aspersion on the case of the prosecution. It is reiterated and submitted that petitioner is a person with clean antecedent and is not a criminal.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dalsinghsarai P.S. Case No.31/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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