

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36100 of 2026

Arising Out of PS. Case No.-43 Year-2025 Thana- Chiraiya District- Saharsa

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Pintu Mahto S/O Harilal Mahto @ Harelal Mahto R/O Village- Sahuriya
Basahi Ward No. 14, P.S.- Chiraiya, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 126(2), 115(8), 118(1),
109(1), 74, 75(2), 303(2), 352, 3(5) of B.N.S.

3. Petitioner is said to have tried to commit rape with
the informant.

4. Learned counsel for the petitioner submits, at the
outset, that the FIR was lodged after a delay of 7 days without
any plausible explanation and from the FIR, it would be evident
that a dispute had taken place in the field of the informant
where it is stated that the petitioner had pushed the informant on
the ground and had tried to commit rape with her and also



outraged her modesty. The specific allegation with regard to assault upon the informant's husband is upon one Chand Mahto and not this petitioner. There is a case and counter case of Chiraiya P.S. Case No.42 of 2025 filed by co-accused of this case against the informant and her husband (Annexure P/3). The entire occurrence has taken place on account of land dispute which resulted into a mutual fight between the parties. The petitioner is in custody since 16.02.2026 with no criminal antecedent and charge-sheet has been submitted. The petitioner has also submitted that during the investigation the offences under Sections 74 and 75 (2) of the B.N.S. relating to sexual harassment was found false and fabricated as indicated in paragraph 14 of the present petition.

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering the delay in the FIR coupled with the fact that the petitioner has not been attributed to any allegation of assault and further chargesheet has also been submitted, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned court below where the case is pending/successor
court in connection with Chiraiya P.S. Case No. 43/2025.

(Soni Shrivastava, J)

Ayush/devendra/-

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