

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37948 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- TATARPUR District- Bhagalpur

Pankaj Mahto @ Sudhanshu Kumar Son of Suresh Mahto, Resident of Village
- Rakabganj, P.S.- Tatarpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-06-2019 Heard both sides.

The petitioner apprehends his arrest in Tatarpur P.S.
Case No.11 of 2019 registered under Sections 366(A) and 34 of
the Indian Penal Code.

The informant (mother of the victim) disclosed that on
20.12.2018 went to the market along with her daughter but her
daughter could not be traced out. On enquiry, she came to know
that Pankaj Mahto, Neeraj Mahto, Dilip Mahto and Suresh
Mahto kidnapped her daughter only because Pankaj Mahto
forcibly wanted to marry with her daughter although her
daughter is married.

Learned counsel for the petitioner submits that it is a
case of love affairs between the victim and the petitioner. The
occurrence took place on 20.12.2018 but the mother of the



victim gave information to the S.H.O. of Tatarpur P.S. on 11.01.2019. The victim and the petitioner solemnized marriage before a notary. The victim also made her statement under Section 164 of the Cr.P.C. that the petitioner put his handkerchief at her nose and she became semi-unconscious. Thereafter the petitioner kidnapped her on a four-wheeler and kept her at different places. It is further submitted that the victim is alleged to have been kept at different places but she did not raise any alarm nor protested. This fact goes to show that the victim with her free will was moving around with the petitioner.

It appears from perusal of the statement of the victim that the victim of course alleged that the petitioner kidnapped her but even thereafter the petitioner moved hither and thither but she never raised any protest while moving around at different places with the petitioner and there appears that the victim accompanied the petitioner to different places.

Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 A.C.J.M. VII, Bhagalpur in connection with Tatarpur P.S. Case No.11 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

