

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18977 of 2021

Arising Out of PS. Case No.-56 Year-2018 Thana- NARHATT District- Nawada

Mantu Kumar Son Of Sudhir Mahto R/O Village- Harinarayanpur, P.S.-
Nardiganj, Dist.- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-03-2021 Heard learned counsel for the petitioner as well as
learned APP for the State.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 366(A), 354(B) and 506 of the Indian Penal Code and Section 8 of the POCSO Act.

Informant who is mother of victim has alleged in her written complaint that her minor daughter Pooja Kumari aged about 15 years is missing from her house from 27.01.2018 at 04:00 AM. However, due to social stigma she did not report the matter and subsequently she learnt that Bhanu Pratap and the maternal uncle Mantu Kumar has abducted her and kept her in residence of his 'Bua'.

It is submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



previous animosity. The statement of the victim has been recorded under Section 164 Cr.P.C. in which she has levelled allegation against Bhanu Pratap and allegation against petitioner is of helping Bhanu in forcibly taking her on car. It is submitted that as per FIR victim is missing from her residence from morning as such it cannot be a case of forcible abduction. It is further submitted that petitioner has no criminal antecedent and other two accused named in FIR have been granted anticipatory bail by this Court vide order dated 16.08.2018 in Cr. Misc. No.44414 of 2018. Petitioner is in custody since 27.11.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bonds of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Narhat (Sitamarhi) PS Case No.56 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Prakash Narayan /-

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