

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7518 of 2022

Arising Out of PS. Case No.-249 Year-2021 Thana- BHAGWANPUR District- Vaishali

RAHUL KUMAR MAHTO Son of Surendra Mahto Resident of Village -
Rampur Asurar, P.s.- Bhagwanpur, Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-08-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Bhagwanpur P.S. Case No. 249 of 2021, registered for the offences
punishable under Sections 363, 366 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that it is
not a case of kidnapping rather the daughter of the informant
solemnized her marriage with the present petitioner Rahul Kumar
Mahto. In this respect an affidavit jointly sworn in by the alleged
victim and the petitioner has been filed as Annexure-2. The learned
counsel has also submitted that the present case has been lodged after
one month of the alleged date of kidnapping at the pressure of the



parents of the victim.

The statement of the victim has been recorded under Section 164 of the Cr.P.C. in which she stated that the present petitioner along with Mukesh Mahto, Tuni Mahto, Sorilal Mahto, Narayan Mahto and Bhim Sahani forcibly brought her in court and keeping her under threat and pressure they prepared the aforesaid paper. They also assaulted when she denied to put her signature on that paper. As such, in my view it is not a fit case for anticipatory bail. Accordingly, it is rejected.

The petitioner is directed to surrender before the court below and make a prayer for regular bail. The court below shall dispose of regular bail of the petitioner without being prejudiced by this order.

With these observations, the criminal miscellaneous petition is disposed of.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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