

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13644 of 2023

Arising Out of PS. Case No.-446 Year-2022 Thana- MUNGER MUFFASIL District- Munger

Pramod Mahto @ Pramod Prasad Son Of Dineshwar Mahto R/V- Jagdish
Manal Tola Tikarapur, P.S- Muffasil, Dist- Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is named in the F.I.R. and
apprehended his arrest in connection with Muffasil P.S. Case
No.446 of 2022 registered for the offences punishable under
Sections 366-A, 363 and 365 of the Indian Penal Code.

The allegation against the petitioner is to help his son
who is alleged to kidnap minor daughter of the informant aged
about 16 years for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioner
submitted that as per F.I.R. son of informant namely Sumit
Kumar, is the eye-witness of the occurrence, where it is clearly
narrated that the daughter of the informant, who is victim of this



case went on her own with the son of petitioner. It is submitted that except co-accused Suraj Kumar, who is son of petitioner none was present there and implication of petitioner in the present case is only being father of main co-accused, Suraj Kumar, against whom thrust of allegation is available. It is further submitted that despite availability of eye-witness of this occurrence the present case was lodged with the delay of six days without any just explanation suggesting an afterthought in the background that admittedly the daughter of informant was in love affairs with the son of the petitioner. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as implication of this petitioner in the present case is, *prima facie*, being father of the main co-accused namely Suraj Kumar, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the learned Chief Judicial Magistrate, Munger/concerned Court below where the case is pending in connection with Muffasil P.S. Case No.446 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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