

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37911 of 2023

Arising Out of PS. Case No.-503 Year-2020 Thana- CHANPATIA District- West Champaran

ASHOK MAHATO @ MANOJ MAHATO Son of Shambhu Mahto Resident
of village - Sahadatpur, P.S. - Yogapatti, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 10-08-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.
3. It is alleged that this petitioner, along with other accused persons, kidnapped daughter of the informant for the purpose of solemnizing marriage.
4. It is submitted on behalf of the petitioner that the victim in her statement, recorded under Section 164 of the Cr.P.C., has denied the prosecution case and stated that she herself went with the petitioner to her *Mausi's* house and stayed there with the petitioner for one week. Moreover, F.I.R. has been lodged after delay of six days without any plausible explanation



for the same. Petitioner has got clean antecedent.

5. Considering the statement of the victim, recorded under Section 164 of the Cr.P.C., clean antecedent and delay in lodging the F.I.R., this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Additional Sessions Judge-VI-cum Special Judge (POCSO), Bettiah, West Champaran in connection with Chanpatiya P. S. Case No. 503 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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