

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57018 of 2022

Arising Out of PS. Case No.-216 Year-2020 Thana- TARIYANI CHOWK District- Sheohar

SANJEET KUMAR INDAL MAHTO Resident of Village- Kushhar, P.S.-
Tariyani, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar,Advocate

For the Opposite Party/s : Mr.Nagendra Prasad,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Tariyani P.S. Case No. 216 of 2020 for the offence registered under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 4 of the POCSO Act.

As per the prosecution story, the informant alleged that the petitioner herein kidnapped his minor daughter for the purpose of marriage for which earlier Tariyani P.S. Case No. 40 of 2020 was registered and the victim was handed over to the informant but once again on 30.06.2020, he again kidnapped the minor girl. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that both are in love with each other, have married and from the said



wedlock, a male child has also born. Further, he is young and putting him behind jail, will make both his wife (informant's daughter) as also the child suffer.

Learned APP for the State, on the other hand, opposes the prayer.

Taking into account the fact as also the submission put forward by the learned counsel for the petitioner that since now the victim girl and petitioner are staying together and out of the said wedlock, the child has also born, he do not have criminal antecedent, this Court is inclined to grant him privilege of anticipatory bail with conditions.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge, POCSO, Sheohar in connection with Tariyani P.S. Case No. 216 of 2020 subject to condition as laid down under Section 438(2) of the Cr.P.C with following conditions:

(i) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(ii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bond.

(Rajiv Roy, J)

Jagdish/Neha/-

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

