

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65485 of 2023**

Arising Out of PS. Case No.-297 Year-2022 Thana- SUGAULI District- East Champaran

Binod Mahto @ Bind Mahto Son Of Kailash Mahato Resident Of Village -
Shri Khandi, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Sugauli P.S Case No. 297 of 2022 dated 23.06.2022 registered for the offence punishable u/s 363, 366(a) and 34 of the Indian Penal Code and Section 08 of POCSO Act.

4. As per the prosecution case, the petitioner and



two accused persons are alleged to have kidnapped the minor daughter of the informant on the pretext of marriage.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that there was love affairs between the petitioner and the victim girl. It is further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she wanted to marry with the petitioner. She and the petitioner went to Haryana and solemnized marriage with petitioner. It is further submitted that she was not forced to have illicit intercourse with another person. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the



satisfaction of the learned court concerned, Motihari at East Champaran in connection with Sugauli P.S. Case No. 297 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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