

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3511 of 2023**

Arising Out of PS. Case No.-227 Year-2022 Thana- SONBERSA District- Sitamarhi

1. RAJ NARAIN MAHATO SON OF JAGDISH MATHO R/O VILL.-  
BHALUAHA, P.S.- KANHAULI, DISTT.- SITAMARHI
2. RAM BABU MAHATO SON OF JAGDISH MAHTO R/O VILL.-  
BHALUAHA, P.S.- KANHAULI, DISTT.- SITAMARHI
3. LAL BABU MAHATO SON OF JAGDISH MAHTO R/O VILL.-  
BHALUAHA, P.S.- KANHAULI, DISTT.- SITAMARHI
4. SHAM BABU KUMAR @ SHYAM MAHATO @ SHAM MAHATO @  
SHAM BABU MAHATO SON OF JAGDISH MAHTO R/O VILL.-  
BHALUAHA, P.S.- KANHAULI, DISTT.- SITAMARHI
5. JAGDISH MAHATO SON OF AJODHA MAHATO R/O VILL.-  
BHALUAHA, P.S.- KANHAULI, DISTT.- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate  
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      09-05-2023                      Heard learned counsel for the petitioners and the  
State.

Petitioners apprehends arrest in a case registered for  
the offence punishable under sections 363, 366 of the I.P.C. and  
8 Pocso Act.

It is alleged that on 11.07.2022 at about 10 A.M. all  
the F.I.R. named accused persons including these petitioners  
kidnapped minor daughter of the informant with the intention to  
solemnize marriage with her. It is further alleged, when



informant alongwith his family members went to the house of the petitioner no.4 (Shyam Babu Mahto) then other accused persons abused and threatened them.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case only on the basis of suspicion.

Learned counsel for the State opposes the prayer for bail and submits that the name of the petitioners are in the F.I.R. and till now the minor victim has not been traced and the investigation of the case is still going on.

Considering the nature and gravity of allegation, prayer for pre-arrest bail of the petitioners is rejected.

**(Prabhat Kumar Singh, J)**

Kaushik/-

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