

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9280 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- RAJNAGAR District- Madhubani

Roshan Kumar Mehta @ Raushan Kumar Mahtha S/O- Ranjeet Mehta R/O-
Harinagar, Madhubani, Raghuni Dehat, Madhubani Bihar, P.S.- Rajnagar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Amit Anand, learned counsel appearing
on behalf of the petitioner and Mr. Arun Kumar Pandey, learned
APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Rajnagar P.S.Case No.143 of 2023 registered for the offences
punishable under Sections 363, 366(A), 341, 323, 504 and
506/34 of the Indian Penal Code .

3. As per the allegation made in the FIR, the petitioner
along with the other accused persons named in the FIR had
kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the statement of the victim girl was
recorded under Section 164 Cr.P.C. The victim girl as per her
own desire had left her parental house along with the petitioner



and thereafter they solemnized marriage. Learned counsel further submitted that no case under Section 366(A) of the Cr.P.C. is made out.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties and considering the nature of allegation made in the FIR as well as the statement of the victim girl, in which she has stated that she on her own will without informing any of the family members eloped with the petitioner to solemnize marriage and starting living as husband and wife, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO), Madhubani or successor courts, Madhubani in connection with Rajnagar P.S.Case No.143 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner



is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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