

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16422 of 2024

Arising Out of PS. Case No.-15 Year-2023 Thana- KHIRHAR District- Madhubani

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Santosh Mahto @ Santosh Kumar Mahto Son of Ram Lakhan Mahto
Resident of vill.-Brajraha, Murliyachak, P.S.-Bisfi (Patauna), Distt.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash
Mr. Gagandeo Yadav
Mr. Rajesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 363, 366(A), 504,

506 of the Indian Penal Code.

The allegation against the petitioner is that he

abducted the minor daughter of the informant. When the

informant went to the house of petitioner to inquire

about the matter, co-accused persons started abusing



and threatened her of dire consequences.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. From perusal of the impugned order, it appears that victim has not whispered about the complicity of petitioner in her elopement, in her statement recorded under Section 164 of Cr.P.C. She has stated that she has solemnized marriage with him and went to live with him in Nepal. Moreover, the petitioner is languishing in judicial custody since 10.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Khirhar P.S. Case No. 15 of 2023
on furnishing bail bond of Rs. 10,000/- (Rupees ten
thousand) with two sureties of the like amount each to
the satisfaction of the learned Additional District Judge
VII-cum-Special Judge (POCSO Court), Madhubani.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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