

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16587 of 2024

Arising Out of PS. Case No.-464 Year-2022 Thana- EKMA District- Saran

Munna Kumar Mahto @ Munna Mahto S/o Jitan Mahto Ray Resident of
Village- Fuchti, Post Office- Manikpur, Police Station- Ekma, District- Saran,
Bihar. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Ekma P.S. Case No.
464 of 2022 registered for the offences punishable under
Sections 363 and 366A/34 of the Indian Penal Code.

3. The petitioner is said to have kidnapped the minor daughter
of the informant.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. It is further
submitted that the informant's family is in habit of filing such
type of cases against the petitioner and his family members.
Earlier to the case under hand, the informant filed Ekma P.S.
Case No.242 of 2022 regarding the kidnapping of the same
victim but after investigation the police found the case as false.
The victim in her statement recorded under Section 164 Cr.P.C.



in Ekma P.S. Case No.242 of 2022 has flatly refused about such incident. He has been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that there is a case and counter case between the parties. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the allegation levelled against the petitioner is serious in nature and the victim is still trace-less, hence the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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