

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25500 of 2024

Arising Out of PS. Case No.-248 Year-2023 Thana- KHAJEKALA District- Patna

Mantu Kumar Son Of Arun Mahto @ Bajrangi Mahto Resident Of Village-
Purvi Kashwa Ranipur Adda, Ps- Mehandiganj, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Das Son Of Sadan Das Resident Of Village- Hazari Mohalla, Near
Krisent English School, Po- Patnacity, Ps- Khajekala, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo, Advocate

For the Opposite Party/s : Mrs.Usha Kumari 1,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr.Abhimanyu Deo, learned counsel for the
petitioner and Mrs.Usha Kumari 1, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
29.09.2023 in connection with Khajekala P.S. Case No. 248 of
2023, F.I.R. dated 24.06.2023 registered for the offence
punishable under Section 365,366A of IPC and Sections 3 (i)(r)
(s),3(2)(va) of SC/ST Act and later on Section 3/4 of the
POCSO Act and Sections 323,363,376,504,506 of the IPC has
also been added.

3. The minor daughter of the informant is alleged to
have been kidnapped by the petitioner and others.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner was in love with the victim and they have performed the marriage. Learned counsel for the petitioner submits that the victim was recovered and her statement was recorded under Section 164 Cr.P.C. in which she has categorically stated that she has performed the marriage with the petitioner and petitioner has not abducted her and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.09.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Exclusive Special Court (POCSO, Act), Patna in connection with Khajekala P.S. Case No. 248 of 2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

