

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35187 of 2024

Arising Out of PS. Case No.-430 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

Lakhindar Mahto Son Of Rajeshwar Mahto Village- Dekaha, P.S.- Kesariya,
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sunil Kumar Pandey, Advocate
For the Opposite Party : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sahebganj P.S. Case No. 430/2019 dated 11.10.2019 registered for the offence punishable u/s 363 and 366A read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The other co-accused person has already been granted bail by the Co-ordinate Bench of this court *vide* order dated 27.08.2020 passed in Cr. Misc. No. 13818/2020. The main



allegation is against the co-accused, namely, Rambabu Kumar. There is nothing on record showing that the victim was forced or seduced to have illicit intercourse with another person. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the victim is a minor girl. The victim in her statement recorded u/s 164 of the Cr.P.C. has supported the prosecution story and has stated that she was taken to the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur in connection with Sahebganj P.S. Case No. 430/2019, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Chandra Prakash Singh, J)

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