

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86460 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- NAGAR District- Vaishali

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1. Rahul Kumar S/o Harendra Mahto @ Gauri Mahto @ Harinder Mahto
Resident Of Village- Sambhupur, P.S. - Sarai, Distt.- vaishali
 2. Rina Devi @ Reena Devi W/o Harendra Mahto @ Gauri Mahto @ Harinder
Mahto Resident Of Village- Sambhupur, P.S. - Sarai, Distt.- vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioners and learned APP for
the State.

2. The petitioners apprehend their arrest in a case registered for
the offences punishable under Sections 353 & 363/34 of the
Indian Penal Code.

3. Both the petitioners along with other co-accused are said to
have manhandled with the informant and took away the victim
with him.

4. It is submitted by learned counsel for the petitioners that no
such occurrence as alleged ever took place. Petitioners have
been falsely implicated in this case. It is further submitted that
victim is major and she has love affairs with petitioner no.1. It is



further submitted that the victim girl has solemnized marriage with petitioner no.1 out of her own volition and living happily in conjugal life. Petitioner no.2 is the mother of petitioner no.1 and the allegation levelled against the petitioner no.2 is not specific rather general and omnibus in nature. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as well as the fact that petitioner no.2 is the mother of petitioner no.1 and the allegation against her is general and omnibus in nature, let the above named petitioner no.2, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Hajipur Town P.S. Case No. 197 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. Considering the facts and circumstances of case as well as the fact that there is specific allegation against petitioner no.1 of kidnapping the minor girl, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of the



petitioner no.1 is hereby rejected.

7. However, the petitioner no.1 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and 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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