

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85590 of 2023

Arising Out of PS. Case No.-281 Year-2023 Thana- KHAGARIA District- Khagaria

Ram Bilash Mahto @ Ram Bilash Mahato S/O Bodhu Mahato R/O Vill-
Chandpur, P/S- Gogri, Dist-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Khagaria (Chitragupt Nagar) P.S. Case No. 281 of 2023, registered on 17.03.2023 for the offences under Section 366(A) of the Indian Penal Code.

3. As per prosecution case, the minor daughter of the informant went missing and the informant named co-accused son of the petitioner for being involved in her kidnapping with intention to marry her. The allegation against the petitioner and his co-accused wife is that of helping their co-accused son in his unlawful act.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in



this case. The prosecution case is false and concocted. The victim girl was recovered and she did not say anything about the involvement of the petitioner, though, she recorded statement regarding involvement of co-accused Tinkal Kumar. There was love affair between the victim girl and co-accused Tinkal Kumar, and later on they solemnized marriage. The victim girl did not attribute any unlawful act against the petitioner. Learned counsel further submits that subsequently, a compromise has taken place between the parties and the informant has filed an affidavit before learned CJM, Khagaria submitting that he does not want to pursue the case any further. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of material against the petitioner and possibility of false implication of the petitioner, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/concerned court in connection with Khagaria (Chitragupt Nagar) P.S. Case No. 281 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

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