

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2687 of 2024

Arising Out of PS. Case No.-525 Year-2023 Thana- MADHAURAH District- Saran

1. Vikash Mahato @Vikash Kumar, Son of Hareram Mahato, Resident of Village- Olhanpur, Ward No. 12, Police Station- Marhaura, Distt.- Saran
2. Hareram Mahato, Son of Lalan Mahato, Resident of Village- Olhanpur, Ward No. 12, Police Station- Marhaura, Distt. Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Jha, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Marhaura P.S. Case No. 525 of 2023, registered on 24.08.2023 for the offences under Sections 363 and 366A/34 of the Indian Penal Code.

3. As per prosecution case, the 17 years old daughter of the informant went missing. On search, the informant came to know that the petitioners and other co-accused persons kidnapped his daughter with intention of marriage.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. The victim girl was recovered and her statement recorded under Section 164 Cr.P.C., wherein she stated that she has solemnized marriage with petitioner Vikash Mahto and wanted to stay with him. The victim has not levelled any allegation against this petitioner. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the statement of the victim girl on verge of majority recorded under Section 164 Cr.P.C. absolving the petitioners from any wrongful act and also considering the possibility of false implication, let the petitioners above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Chapra at Saran/concerned court in connection with Marhaura P.S. Case No. 525 of 2023, subject to the conditions 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



petitioners.

(ii) The petitioners 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)

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