

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9156 of 2025

Arising Out of PS. Case No.-235 Year-2021 Thana- SONBERSA District- Sitamarhi

Ashik Sheikh, aged about 28 years, Gender-Male, S/O Gaffar Sheikh, R/O Village - Vishanpur Adhar, P.S. - Kanhauli, Dist. -Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate
For the Opposite Party : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sonbarsa P.S. Case No. 235 of 2021 dated 22.08.2021 registered for the offences punishable under Sections 363, 366A read with Section 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons, armed with lethal weapons, kidnapped the minor daughter of the informant forcibly, who is aged about 13 years. It is further alleged that the co-accused Lal Mohan Mahto and Shyam Kumar boarded on Scorpio again came and tried to abduct the informant but they were caught by the villagers who came after hearing cries of the informant and thereafter the co-



accused persons were handed over to the police.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the victim has been recovered and her statement under Section 164 of the Cr.P.C. has been recorded in which she has stated that no one had kidnapped her but she had gone to her mousi's house due to quarrel with her mother. No incriminating article has been recovered from his possession. There is general and omnibus allegation against the petitioner. It is submitted that the other co-accused person, namely, Anand Mohan Mahto @ Lal Mohan Mahto @ Anand Mohan Kumar, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 24300 of 2022 under order dated 16.08.2022, annexed as Annexure-2 to the present bail application. The petitioner has five criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 18.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond



of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO) Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 235 of 2021 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. The petitioner is directed to co-operate in the trial.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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