

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17576 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- MAHESHKHUNT District- Khagaria

Manoj Kumar S/o- Chhatri Yadav Village- Pakrail Vidyarthi Tola Ward no- 12
PS-Mahesh Khunt District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Maheshwar Yadav S/o- Makun Yadav Village- Pakrail Vidyarthi Tola W.No- 12, Ps- Mahesh Khunt Dist- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Singh, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the O.P. No.2	:	Mr. Ranjeet Kumar Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the O.P. No.2.

Perused the case diary.

2. The petitioner seeks bail in connection with Mahesh
Khunt P.S. Case No. 106 of 2024 instituted for the offences
under Sections 366A/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of kidnapping the
Informant's minor daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



due to village politics. The petitioner has not committed any offence as alleged in the F.I.R. Learned counsel for the petitioner submits that as a matter of fact, the Informant was planning to marry the victim girl with an old person but, when the same came to knowledge of the victim girl, she fled away and met with the petitioner. The Informant is not the eye-witness to the alleged occurrence. In the statement of the victim girl recorded under Section 161 Cr.P.C., she has stated that there was love affair between the petitioner and her. She has also stated that she solemnized marriage with the petitioner. She has also not made any allegation of any overt act against the petitioner. In the 164 Cr.P.C. statement, she has also not made any accusation against the petitioner rather has stated that she enticed the petitioner. The victim girl has also refused for the internal examination. The petitioner has no criminal antecedent and is languishing in judicial custody since 22.05.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. and, hence, he does not deserve bail. The Investigating



Officer, after completion of investigation, has submitted charge-sheet against the petitioner under Sections 366(A)/34 of the I.P.C. and Section 08 of the POCSO Act.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also taking into account the statement of the victim girl recorded under Sections 161 & 164 of the Cr.P.C., let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahesh Khunt P.S. Case No. 106 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

