

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18827 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- KORANSARAI District- Buxar

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Tuna Mahto @ Gupteshwar Singh Son of Chhote Mahto Resident of Village -
Kanjharua, P.S. - Koran Sarai, District - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shankar Yadav Son of Late Triveni Yadav Resident of Village and P.O. -
Kanjharua, P.S. - Koran Sarai, District - Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s :	Mr. Mithlesh Kumar Khare, APP
For the Informant :	None

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

ORAL ORDER

4 22-07-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary. Despite valid
service of notice, none appears on behalf of the petitioner.

2. The petitioner seeks bail in connection with Koran
Sarai P.S. Case No. 107 of 2024, instituted for the offences
punishable under Sections 137(2), 96 and 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioner
lured minor daughter of the informant and kidnapped her for the
purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case and



Charge has also been framed against the petitioner. Learned counsel for the petitioner also submits that there is delay of five days in lodging the FIR. It is further submitted that both the parties are co-villagers and due to some minor disputes the petitioner has been falsely implicated in this case. The petitioner is in custody since 08.11.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation levelled against the petitioner of kidnapping the victim for the purpose of marriage. It is further submitted that the victim has fully supported the case of prosecution in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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