

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21628 of 2025

Arising Out of PS. Case No.-69 Year-2024 Thana- INARWA District- West Champaran

Deepak Mahto Son of Sukhlal Mahto village- Bhuski, P.S.- Matiyariya,
District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Sahid Miyan village- Jhajhari, Ps- Inarwa, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay, APP
For the Informant :	Mr. Sanjeev Kumar, Advocate
:	Mr. Raushan Raj, Advocate

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

ORAL ORDER

4 15-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with Inarwa
P.S. Case No. 59 of 2024 instituted for the offences under
Sections 363, 365/34 of the Indian Penal Code and Sections
8/12 of the POCSO Act.

3. Prosecution case, in short, is that, on 05.02.2024,
the 20 year old daughter of the informant went missing and
despite efforts, she could not be traced out.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case merely on suspicion and to mount pressure upon the petitioner. Learned counsel further submitted that, as per FIR itself, the victim is major and she left her house on her own sweet will in the background of her courtship with co-accused Bablu Kumar and she was working as house maid, but after her recovery, she has implicated several persons including this petitioner only to harass and extort the petitioner. Learned counsel further submitted that there is a delay of more than four months in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further contended that victim left her house at 4:00 AM, which clearly shows that she was not kidnapped. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim, in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that, this petitioner along with other accused



persons kidnapped her and they also sold her to someone where she worked as house maid. Police, after investigation, submitted charge-sheet under Sections 374(4), 371, 363, 365/34 of the IPC and Sections 8/12 of the POCSO Act.

6. Considering the aforesaid facts and circumstances of the case as also there being ample material against the petitioner in the case diary to prove his involvement in the alleged offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

