

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26422 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- SIKARPUR District- West Champaran

Ashok Mahto @ Ashok Kumar S/o Nathu Mahato R/o vill - Jamunia, P.s.-
Shikarpur, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 02-09-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel
for the petitioner, Mr. Mritunjay Kumar Nirala, learned APP for
the State besides Mr. Sanjeev Kumar, learned counsel for the
informant.

2. The petitioner apprehends his arrest in connection
with a case registered for the offences punishable under Sections
137(2)/96/3(5) of the BNS lodged by the informant.

3. As per the prosecution story, the informant alleged
that the petitioner took away his minor daughter which led to
the F.I.R. Subsequently, the investigation took place, the girl
returned and she made a statement before the Court that on her
own, she left the house, married this petitioner and wants to live
with him. She left the home only because the parents wanted her
to marry somewhere else.

4. Learned counsel for the petitioner submits that



presently the girl is with the Child Welfare Committee.

5. Learned APP and the learned counsel for the informant oppose the prayer for bail and submit that a married person took away the girl and forced her to make statement.

6. Be that as it may, the girl appeared and narrated a story that the parents wanted her to marry somewhere else. She is in relationship with this boy for 2½ years, solemnized marriage, in that back ground, this Court is inclined to grant anticipatory bail to this petitioner.

7. In view of the above facts, let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like in connection with amount each to the satisfaction of Miss Swati Priyadarshini, Bettiah, West Champaran/concerned Court, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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