

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29587 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Mithilesh Kumar Mahto @ Mithilesh Kumar S/o- Ramchandra Mahto
Village- Lalgah Tole Jimisingh Ps- Shyampur Bhatha Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Adv

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This is the first regular bail application of the
petitioner seeking his regular bail in connection with Shaympur
Bhatha P.S. Case No. 22/2025, registered for the offence under
Sections 137(2), 87, 3(5) of B.N.S. Act.

3. According to the case of prosecution, at the time
of alleged incident the age of the victim was 17 years 11 months
and 6 days. It is the case of prosecution that on 8.02.2025, the
petitioner took the victim girl with him and subsequently, both
of them performed their marriage. The matter was reported by
mother of the victim girl, on the basis of which, offence has
been registered. After completion of investigation, final form



has been filed by the prosecution in favour of the petitioner and other named accused persons, however, vide order dated 25.03.2025, the learned A.C.J.M-3rd Sheohar took the cognizance against the present applicant for the offence punishable under sections 137(2), 87, 3(5) of B.N.S.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. Virtually there was a love relation between the victim girl and petitioner, due to that, the victim girl herself left her house and joined the company of petitioner and both of them performed their marriage . There is no role of the petitioner for abduction of the victim girl. He further submits that the victim girl herself admitted the fact that she herself left her house with her own will. Lastly, it is submitted by the counsel for the petitioner that the petitioner is in custody since 14.02.2025, trial is going on, it will take some more time, therefore it is prayed that he may be granted benefit of bail.

5. Learned counsel for the State opposes the arguments raised by the counsel for the petitioner.

6. Considering the above submissions made by the learned counsel for the petitioner and particularly, considering the statement made by the victim girl, I am of the view that the



petitioner should be enlarged on bail.

7. Accordingly, the application is allowed.

8. The petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Sheohar, in connection with Shyampur Bhatha P.S. Case No. 22/2025.

(Arvind Singh Chandel , J)

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