

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34515 of 2024

Arising Out of PS. Case No.-434 Year-2023 Thana- NAUTAN District- West Champaran

Ashok Mahto @ Ashok Prasad Son of Vishwanath Mahto Resident of Village-
Shivrahi Mathiya, P.S.- Jagdishpur, District- West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

9 04-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nautan (Jagdishpur) P.S. Case No. 434/2023 dated 06.10.2023 registered for the offences punishable u/ss 363, 366A and 506 read with 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner. It is further submitted that there is nothing on record which shows that the victim was forced to have illicit intercourse with another person. The petitioner is the father of the co-accused Manish Kumar. The victim in her statement recorded u/s 164 of the Cr.P.C. has stated that she solemnized marriage with the co-accused Manish Kumar of her own sweet will and the victim has not stated the name of the petitioner in the crime alleged.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, West Champaran, Bettiah in connection with Nautan (Jagdishpur) P.S. Case No. 434/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal



Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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