

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35509 of 2025

Arising Out of PS. Case No.-01 Year-2025 Thana- Kadirganj P.S. District- Nawada

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1. Rajkumar Mahto @ Raj Kumar Prasad S/o Late Rameshwar Mahto Resident Of Village Sonu Bigha, P.S. Kadirganj , District Nawada
 2. Mamta Devi W/o Rajkumar Mahto @ Raj Kumar Prasad Resident of Village- Sonu Bigha, P.S. Kadirganj, Distt. Nawada

... .. Petitioners

Versus

1. The State of Bihar
2. Sanju Devi W/o Vinay Mahto R/o Village- Kaprahi, P.S.- Kadirganj, Distt. Nawada

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Sheo Nandan Prasad, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Kadirganj PS. Case No.-01 of 2025 dated-01.01.2025, registered for the offences punishable under Sections 137(2), 87, 126(2), 352, 351(2), 3(5) of the B.N.S., 2023.

3. As per allegation, the minor daughter of the informant has been kidnapped by the co-accused, Nishant Kumar and 2-3 unknown boys and when the informant/father went to the house of Nishant Kumar, he was abused by the



petitioner.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that there is no truth in the allegation. The daughter of the informant is a major and she has already married Nishant Kumar and they are living together. He further submits that as per the statement given by the alleged victim before the Judicial Magistrate under Section 183 B.N.S.S, she was 17 years of age and she was in love with Nishant Kumar and she had gone to Delhi where Nishant Kumar was living. Thereafter, she married him and started living together. After knowing that a case has been lodged, she came to Bihar.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Kadirganj PS. Case No.-01 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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