

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35403 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- ALINAGAR District- Darbhanga

Mohan Jha S/o Ghanshyam Jha Resident of Village- Antour, Police Station-
Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Alinagar P.S. Case No. 32 of 2025 registered for the offences punishable under Sections 137(2), 140(3), and 3(5) of the BNS.

3. As per the prosecution story, the informant has alleged that on 12.02.2025 at around 4:00 PM, his son *Gautam Kumar Yadav* and his nephews *Murari Kumar Yadav* and *Alish Kumar Yadav* went to see the fair at *Baleta* Ghat. By 7:00 PM, they had not returned home. At around 10:00 PM, he received a call from Manigachhi police station, stating that his son had been kidnapped and was being taken away in a tempo. The kidnapper, *Mohan Jha* was caught after a protest by the tempo



driver. At the police station, his son and nephew explained that a villager, *Sideshvar Yadav*, took them on a motorcycle towards Benipur near the petrol pump ahead of Baleta bridge, where *Mohan Jha* then took them in a tempo. It is also alleged that a previous kidnapping case is also ongoing against *Mohan Jha*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to previous enmity. The alleged incident did not occurred as claimed by the informant. In 2024, the petitioner and the informant's niece, who were in a love affair, eloped. As a result, the informant filed Alinagar P.S. Case No. 28 of 2024 under Sections 366(A) and 34 of the IPC. However, the niece was later recovered and, in her statement under Section 164 Cr.P.C., confirmed that she went to Delhi of her own will and was not kidnapped. She also admitted to being in a relationship with the petitioner and expressed her wish to live with him. Based on her statement, the court granted anticipatory bail to the petitioner. Subsequently, the petitioner married the niece, and they have been living happily together. The said marriage was an inter-caste marriage, the informant was not happy and was always trying to harm the petitioner and his family members. Therefore, the family members suggested the petitioner to reside



separately with his wife as their life was under threat alarms.
The petitioner took a rented room in Benipur and started to
reside there alongwith his wife.

5. Learned A.P.P. appearing on behalf of the State has
vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering
the fact that he is in custody since 13.02.2025, as also the
inimical terms between both the parties regarding love
affair/love marriage between the petitioner and niece of the
informant, this Court is inclined to enlarge the petitioner on bail.

7. Let the petitioner, above named, be released on bail
on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with
two sureties of the like amount each to the satisfaction of
learned Sub-Divisional Judicial Magistrate, Benipur, Darbhanga
in connection with Alinagar P.S. Case No. 32 of 2025 subject to
the condition that one of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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