

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37560 of 2025

Arising Out of PS. Case No.-95 Year-2024 Thana- MANIGACHI District- Darbhanga

1. Raja Mahto S/o- Ramdev Mahto Village- Bhagwanpur PS-Madhepur District-Madhubani
2. Meera Devi W/o- Ramdev Mahto Village- Bhagwanpur PS-Madhepur District-Madhubani
3. Ramdev Mahto S/o- Late Chalitar Mahto Village- Bhagwanpur PS-Madhepur District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-06-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that petitioners abducted her daughter on 18.04.2024 with an intention to marry her, as they were in love for an year, but her daughter fell from the vehicle and got injured, thus, was admitted in a hospital, the informant on coming to know about



the accident, reached the hospital, but petitioner fled and the victim after treatment was discharged, thereafter petitioner again came on 01.05.2024 at 10:00 AM and abducted the victim for getting married.

4. Learned counsel for the petitioners submits that petitioner no. 1 and the victim who is a major were in love and they eloped, but then their relationship was being opposed by the informant and her family members. It is further submitted that the victim was recovered and her statement was recorded under Section 161 Cr.P.C. wherein she did not whisper anything against the petitioner. It is also submitted that victim is staying with the informant. It is next submitted that it absolutely does not stand to reason that in serious cases, the police does not apply for seeking process under Section 82 Cr.P.C., but in cases like the present one, the police in haste applied for issuance of process under Section 82 Cr.P.C and the same was issued also in a mechanical manner without appreciating the facts of the case in its correct perspective.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Manigachi P.S. Case No. 95 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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