

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46768 of 2025

Arising Out of PS. Case No.-510 Year-2024 Thana- SUGAULI District- East Champaran

Raja Mahto @ Babu Saheb, Male, aged about 24 yrs., S/O Sheo Pawan Mahto @ Shiv Bachan Mahto R/O Village- Sangrampur Mathiya, P.S- Sangrampur, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi W/O Sanjay Mahto R/O Village- Shripur Bhatwaliya, P.S- Sugauli, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Rajesh Kumar, learned counsel appearing on behalf of the petitioner and Mr. Pawan Kumar Chaurasia, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Sugauli P.S. Case No. 510 / 2024 registered for the offence(s) punishable under Sections 363, 366 A, 376, 323, 506, 120B of Indian Penal Code and Sections 8/12 of POCSO Act.

3. As per the allegation made in the FIR, the petitioner had kidnapped the daughter of the informant with an intention to marry her.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is aged about 24 years and he



was in relationship with the victim, who allegedly was about 16 years at the time of said incidence, as per the FIR. However, allegation is that she was minor at the time of alleged commission of offence. The victim has also conceived and petitioner is ready to take care of her.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner in the FIR, as well as, the fact that the petitioner and the victim girl were in relationship and the victim has also conceived and the petitioner is ready to take care of the victim, the learned District Court is directed to verify the present age of the victim **and if the victim is major then petitioner is directed to be released on pre-arrest bail in connection with Sugauli P.S. Case No. 510 / 2024 pending in the Court of learned 6th District and Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. on such terms and conditions as the learned District Court deems it fit and proper.**

7. Thereafter, the victim be also allowed to be released from Remand Home, so that she can accompany the



petitioner and petitioner can take proper care of the victim.

8. The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

