

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52301 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- RIGA District- Sitamarhi

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1. JITENDRA MAHTO S/o Maheshi Mahto R/o vill - Shiv Nagar, P.S.- Riga, Distt.- Sitamarhi
 2. Sunil Mahto S/o Maheshi Mahto R/o vill - Shiv Nagar, P.S.- Riga, Distt.- Sitamarhi
 3. Nitish Kumar S/o Maheshi Mahto R/o vill - Shiv Nagar, P.S.- Riga, Distt.- Sitamarhi
 4. Anish Mahto S/o Maheshi Mahto R/o vill - Shiv Nagar, P.S.- Riga, Distt.- Sitamarhi
 5. Maheshi Mahto S/o Late Shital Mahto R/o vill - Shiv Nagar, P.S.- Riga, Distt.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gangajal Devi W/o Jodhan Mahto R/o vill - Shiv Nagar, ward no. 8, P.S.- Riga, Distt.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Pushpendra Kumar Singh, Advocate
For the State	:	Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 137, 96, 64, 3(5) of the B.N.S. and Sections 4 and 6 of the POCSO Act.

3. Learned counsel appearing on behalf of the petitioners submits that petitioners no.1, 2, 3 and 5 have got one criminal antecedent and petitioner no.4 is a person with clean antecedent.



4. From perusal of the allegation as alleged in the FIR, it would manifest that the daughter of the informant had gone to ask for Biloki along with other women of the village at 04:00 p.m. on the occasion of marriage ceremony on 12.02.2025 but did not return, the villagers informed that they had seen the accused persons taking her daughter in an auto. The informant went to the house of the accused persons but they were not present. The informant further alleges that the accused persons took her daughter for the purposes of marriage. It is next alleged that the accused dropped her in the village on 13.02.2025, further the victim on 14.02.2025 disclosed that Lalit committed wrong with her.

5. Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in the instance case by the informant. It is next submitted that the date of occurrence is 12.02.2025 and the FIR has been instituted on 15.02.2025. It is also submitted that the statement of the victim was recorded under Section 183 of the B.N.S.S. wherein she has alleged against Lalit. It is next submitted that Lalit was arrested and was sent to judicial custody. It is further submitted that the victim is a major, though in the FIR, her age has been disclosed as 17 years. It is next submitted that the victim and Lalit were known to each other. It is also submitted that after Lalit was taken into



judicial custody, the matter was compromised and Lalit has been granted the privilege of regular bail by an order dated 18.08.2025, passed in Cr. Misc. No.48302 of 2025 by a learned coordinate Bench of this Court. Learned counsel for the petitioners thus submits that when Lalit has been granted the privilege of regular bail, no useful purpose would be served by sending the petitioners to jail.

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

7. Considering the submissions made by learned counsel for the petitioners, let 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 Riga P.S. Case No. 56 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Satyavrat Verma, J)

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