

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54963 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- ADAPUR District- East Champaran

Nandu Mahto @ Nand Mahto S/O Late Hira Mahto R/o vill - Chowk bazar
mehsi, P.S. - Mehshi, Distt. - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramdev Pandit Son of late Dhandhari Pandit R/O Vil.- Bhalu Bhahiya, P.s.-
Adapur, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

11 10-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 363, 366A read with
Section 34 of the Indian Penal Code and Section 8 of the
POCSO Act.

3. As per the prosecution case, the allegation leveled
by the informant was that his daughter has gone to the Bazaar
and in the meantime, all FIR named accused persons, including
the petitioner have kidnapped the daughter of the informant.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and a false case of kidnapping was



filed against the petitioner and in fact that the petitioner's son namely, Chandan Kumar and the informant's daughter were in love affair and the petitioner as well the said Chandan Kumar have falsely been implicated, as he was not happy with the relationship. It is next submitted that the submissions are being corroborated by the counter-affidavit filed on behalf of the State, and in Para-7, it has been specifically mentioned that when the police conducted a raid to arrest the accused Chandan Kumar, they could meet the sister of Chandan Kumar and they called on the mobile number of accused Chandan Kumar, but the same was picked-up by the victim, Priti Kumari and she had herself informed that she was never kidnapped and she had got married to Co-accused Chandan Kumar and had informed that she will be coming to Motihari in a week. The learned counsel has thus summarized that in view of counter-affidavit and the averments made by the State, the allegation against the petitioner has turned out to be false and fabricated. It has lastly been submitted that the petitioner has no criminal antecedent and has served almost five months in custody.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner was instrumental in allowing his son to elope with the victim girl.



6. Considering the aforesaid submissions of the parties and taking into account the fact that the counter-affidavit has been filed by the State, as such, the provisional bail of the petitioner is hereby confirmed.

(Sourendra Pandey, J)

Sudhanshu/-

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