

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56620 of 2025

Arising Out of PS. Case No.-159 Year-2022 Thana- KORMA District- Sheikhpura

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1. Saday Mahto @ Sahadev Mahto Son Of Late Chano Mahto R/O Village - Koyala, P.S. - Korma, District - Sheikhpura.
 2. Manila Devi Wife of Saday Mahto @ Sahadev Mahto R/o Village - Koyala, P.S. - Korma, District - Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Paras Kumar Rana Son of Late Baleshwar Rana R/o Village - Koyala, P.S. - Korma, Dist. - Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the State	:	Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 10-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Korma P.S. Case No.159 of 2022, registered for the offences punishable under Section 366A of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per allegation, a 12-13 year old daughter of the informant has been kidnapped by co-accused, Shailendra Kumar, son of the petitioners. The allegation against the petitioners, who are parents of the co-accused/Shailendra



Kumar, is that when the informant came to know about his daughter from them, he was abused and threatened by them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that apparently, there is no allegation against the petitioners in regard to kidnapping of the alleged victim. At most, they are alleged to have abused and intimidated to the informant which is totally false and fabricated. He further submits that the petitioners have been implicated in this case only on account of being parents of the main accused, Shailendra Kumar.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the fact that the petitioners are parents of co-accused/Shailendra Kumar and there is no allegation of any role in kidnapping of the alleged victim, **this petition is allowed**, directing the petitioners above-named, to be enlarged



on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Korma P.S. Case No.159 of 2022, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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