

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75688 of 2025

Arising Out of PS. Case No.-240 Year-2025 Thana- LALGANJ District- Vaishali

-
1. Biltu Mahto S/o Late Bhola Mahto @ Mola Mahto R/o Village- Wafapujr Sharma, P.S.- Lalganj, District- Vaishali
 2. Babita Devi W/o Biltu Mahto R/o Village- Wafapujr Sharma, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-12-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

 2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 140(2) and 3(5) of the Bharatiya Nyaya Sanhita.

 3. The SHO and the Investigating Officer of the case, in compliance of the order dated 20-11-2025, are present in the Court.

 4. Learned counsel for the petitioners submits that informant alleges that her minor daughter aged about 15 years is missing from the house since 2-5-2025, further on 10-5-2025 the informant was informed that her daughter has been kidnapped



by Kishan Kumar and Mintu Devi, accordingly she went to the house of Lalji Mahto, husband of Mintu and father of Kishan, to inquire about her daughter when Mintu Devi informed that Kishan has kidnapped her daughter for marrying and refused to return the victim.

5. Learned counsel for the petitioner submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioner No. 1 is brother of Lalji, and petitioner No. 2 is wife of petitioner No. 1. It is further submitted that victim has been recovered and her statement was recorded under Section 180 BNSS, wherein she has not supported the case of the prosecution, rather has stated that she has married Kishan. It is also submitted that petitioners being uncle and aunt of Kishan were implicated only to coerce Kishan and his family members into submission.

6. The SHO and the Investigating Officer of the case who are present in the court also concur with the submission made by the learned counsel appearing on behalf of the petitioners that victim has been recovered and the statement was recorded under Section 180 BNSS, wherein she has not supported the case of the prosecution.

7. The learned APP opposes the anticipatory bail



application on the ground that victim is a minor, on which the learned counsel appearing on behalf of the petitioners submits that victim is aged about 17 years three months, and has reached the age of discretion and thus was capable of understanding the consequences of her action.

8. After hearing the learned counsel for the parties, 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. 5,000/- (Rupees Five 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 Lalganj P.S. Case No. 240 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. The personal appearance of the SHO and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

Sumit/-

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

