

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78698 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- SHEKHPURA District- Sheikhpura

Subhash Mahto S/o Ramdhani Mahto R/o Village- Tiya, P.S- Karandey, Dist-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-12-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State, Mr. Khurshid Anwar.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 140(1),
140(3) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that his daughter was married to Yogendra in the year 2021, after
marriage, the relationship deteriorated, as such, his daughter
instituted Divorce Case No. 38 of 2025, while Yogendra also filed
Case No. 41 of 2025 in the Court of learned Principal Judge,
Family Judge, Sheikhpura, further on 26.08.2025, the informant's
daughter was returning from the Court at 01:00 PM when
Yogendra, petitioner along with three unknown accused snatched



his daughter's mobile and abducted her, further his daughter called from another mobile number and said that her life is in danger and she has been brought to Manpur Aliganj.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that there was a dispute in between the victim and her husband Yogendra for which cases were filed. It is also submitted that though informant alleges that her daughter was abducted and she called the informant from another mobile number informing that she has been brought to Manpur Aliganj, but then the mobile number by which she had called has not been disclosed in the FIR. It is also submitted that the victim has come and her statement was recorded under Section 180 BNSS wherein she has supported the case of the prosecution, but then it is submitted that petitioner is *ex-Sarpanch* and since a dispute was going on in between the victim and Yogendra, as such, he had mediated, hence came to be implicated. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Sheikhpura P.S. Case No. 237 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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