

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3568 of 2026

Arising Out of PS. Case No.-88 Year-2025 Thana- Amhara District- Lakhisarai

1. Jito Mahato @ Jitan Mahato @ Jitendra Mahato S/O Ramji Mahato R/O Village- Kachhiyana, P.S.- Amhara, Distt.- Lakhisarai
2. Babita Devi W/O Jito Mahato @ Jitan Mahato @ Jitendra Mahato R/O Village- Kachhiyana, P.S.- Amhara, Distt.- Lakhisarai
3. Dhiraj Mahato @ Dhiraj Kumar S/O Shukdev Mahato R/O Village- Kachhiyana, P.S.- Amhara, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 01-04-2026 Heard Mr. Manoj Kumar Singh, learned counsel

appearing on behalf of the petitioners and Mr. Uday Chand

Prasad, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Amhara P.S. Case No. 88 of 2025 registered under Sections
140(3) and 137(2) of the BNS.

3. As per the allegation made in the FIR, on
04.09.2025 the informant's minor daughter went missing from
the market and it is alleged that she was enticed away by one
Soni Mahato (son of petitioner no.1), and upon visiting his
house, the informant was allegedly abused and assaulted by the



named accused persons/petitioners.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. The victim in her statements recorded under Section 183 of the BNSS has admitted her age to be 18 years and she has given information that she willingly married with the Soni Mahato and they are living together. The petitioners being family members of the said Soni Mahato have been roped in the present case. A general and omnibus allegation has been levelled against the petitioners. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the FIR, and considering the fact that the petitioners, being family members of the said Soni Mahato, have been roped in the present case with general and omnibus allegations, I am of the opinion that the petitioners have, prima facie, made out a case for grant of anticipatory bail.

7. The learned District Court is directed to release the



petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Amhara P.S. Case No. 88 of 2025, subject to the condition as laid down under Section 482 of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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