

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8612 of 2026

Arising Out of PS. Case No.-30 Year-2021 Thana- LAUKAHI District- Madhubani

1. Bhagwan Prasad Mandal S/O Late Khakhi Mandal R/O Vill.- Kuriban, P.s.-
Laukahi, Dist.- Madhubani.
2. Siyabati Devi W/O Late Khakhi Mandal R/O Vill.- Kuriban, P.s.- Laukahi,
Dist.- Madhubani.
3. Santosh Mandal S/O Late Badri Mandal R/O Vill.- Kuriban, P.s.- Laukahi,
Dist.- Madhubani.
4. Nageshwar Mandal S/O Late Badri Mandal R/O Vill.- Kuriban, P.s.-
Laukahi, Dist.- Madhubani.
5. Narayan Mandal S/O Late Badri Mandal R/O Vill.- Kuriban, P.s.- Laukahi,
Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Yadav, Advocate Mr. Prashant Kumar, Advocate
For the Opposite Party/s :		Mr.Sunil Kumar Pandey, APP
For the Informant	:	Mr. Sumit Kumar, Advocate Mr. Vishal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-02-2026 Heard learned counsel appearing on behalf of
the petitioners and learned Additional Public Prosecutor
appearing on behalf of the State.

2. The accused/petitioners apprehending their
arrest in connection with Laukahi P.S. Case No. 30 of
2021 registered for the offences punishable under
Sections 363, 366(A), 341, 323, 504/34 of the Indian
Penal Code.

3. As per FIR, petitioner no. 1, who is the son
of petitioner no. 2 with help of petitioner nos. 3, 4 and



5 kidnapped the minor daughter of the informant, aged about 15 years for the purpose of illicit intercourse/marriage with another person.

4. It is submitted by learned counsel appearing on behalf of the petitioners that during investigation, statement of victim was recorded, where she categorically denied the occurrence as kidnapping and she also negated the allegation of sexual assault rather while deposing her statement under Section 164 of Cr.P.C., she categorically stated her age as 18 years and said that she out of her own sweet will solemnized marriage with petitioner no. 1 and living happily together having two childrens from said wedlock.

5. Arguing further, it is submitted that petitioner no. 2 implicated only for the reason that she is the mother of petitioner no. 1 and similarly the petitioner nos. 3 4 and 5 were implicated being cousin brothers, having otherwise no connection with present occurrence and their implication made only with oblique motive as to harass the entire family members. All petitioners claimed clean antecedents.

6. Learned APP opposed the prayer of bail.

7. Mr. Sumit Kumar, learned counsel appearing on behalf of the informant, while opposing



the prayer of bail could not disputed the aforesaid factual submission and stated that matter now appears compromised between the parties.

8. In view of aforesaid factual submissions and by taking note of fact as the victim negate the allegation of kidnapping and sexual assault against petitioner no. 1 rather stated through her statement recorded under Section 164 of Cr.P.C. as to solemnize marriage with petitioner no. 1 and living happily with their two childrens, where allegation against petitioner nos. 2, 3, 4 and 5 appears very much general and omnibus in nature, being family members, accordingly, all above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-I, Jhanjharpur/concerned Court, where the case is pending in connection with Laukahi P.S. Case No. 30 of 2021 subject to the conditions as laid down under Section 482(2) of the BNSS.



(Chandra Shekhar Jha, J)

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