

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8457 of 2026

Arising Out of PS. Case No.-172 Year-2025 Thana- BELDOUR District- Khagaria

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1. Dareshi Mahto S/O Late Etwari Mahto Resident of Village- Usraha, P.S- Beldaur, District- Khagaria.
 2. Divakar Kumar S/O Dareshi Mahto Resident of Village- Usraha, P.S- Beldaur, District- Khagaria.
 3. Nitish Kumar S/O Dareshi Mahto Resident of Village- Usraha, P.S- Beldaur, District- Khagaria.
 4. Raushan Mahto @ Raushan Kumar @ Raushan Mahto S/O Late Kishori Mahto Resident of Village- Usraha, P.S- Beldaur, District- Khagaria. At present R/O Gangaur, P.S- Gangaur, Distt.- Khagaria.
 5. Sushant Kumar @ Sheru S/O Rajaram Mahto R/O Village- Bachhauta, P.S- Morkahi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Mr. Amar Kumar Singh, Adv
For the Opposite Party/s	:	Ms. Pushpa Sinha, A.P.P.
For the Informant	:	Mr. Praveen Kumar Agrawal, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-05-2026 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 96, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, on 12.05.2025 at about 4 AM, when daughter of the informant went to attend nature's call, all the F.I.R. named accused persons, including these petitioners, are alleged to have kidnapped her.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence.



Specific accusation of kidnapping is against co-accused Saurav Kumar and these petitioners have falsely been implicated in this case merely because they happen to be family members of co-accused Saurav Kumar. F.I.R. has been lodged after inordinate delay of about 28 days which itself raises doubt over veracity of the prosecution case. There is no allegation of any specific overt act against petitioners.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the nature of accusation and other facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection with Beldaur P. S. Case No. 172 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

(Prabhat Kumar Singh, J)

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