

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25024 of 2026

Arising Out of PS. Case No.-215 Year-2025 Thana- HARLAKHI District- Madhubani

Shiv Shankar Kumar S/o Rambaran Mahto @ Ramvaran Mahto Resident of
Village - Gangaur, P.S. - Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Kumar S/o Narayan Yadav Resident of Village - Gangaur, P.S. - Harlakhi, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 16-07-2026 Heard Md. Soban Asghar, learned Counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Harlakhi P.S. Case No. 215 of 2025 for the offence
registered under sections 137(2), 96 of BNS.

3. As per the prosecution story, the informant alleged
that his minor daughter went for coaching but failed to return
and as she was on talking term with a particular phone number
(which actually belonged to the petitioner), FIR was lodged.

4. Learned Counsel for the petitioner submits that
both the petitioner and the girl were in relationship, she went on



her own, upon return, statement has been made by her that from Beniparri, she went to Patna and then to Delhi where she solemnized marriage with the petitioner.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail but concede that the girl has not made any allegation against the petitioner.

6. Considering the submissions of the parties as also that he has no criminal antecedent, he is a young person, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge 7th cum Special Judge POCSO Act, Madhubani in connection with Harlakhi P.S. Case No. 215 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID)



to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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