

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27099 of 2026

Arising Out of PS. Case No.-326 Year-2025 Thana- NAUTAN District- West Champaran

Raja Mahto @ Raja Babu S/o Sri Teku Mahto Resident of village - Tola
Sansaraiya, Ward No. 10, P.S - Bettiah Mufassil, District - West Champaran
... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o Village - Khadda Purandarpur, P.S - Nautan, District - West Champaran
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-04-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Nautan P.S. Case No. 326 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 137(2), 87, 351(2) and 3(5) of the BNS and Sections 8/12 of the POCSO Act.

3. As per FIR, co-accused persons namely Nitish Kumar and Kundan Kumar abducted two minor daughters of informant aged 17 and 12 years, respectively and when this occurrence was reported to this petitioner in capacity of elder brother of one of the co-accused Nitish Kumar, he alleged assault and abuse the informant.



4. It is submitted by learned counsel appearing on behalf of the petitioner that after recovery statement of victim was recorded under Section 183 of the BNSS, where there was lot of contradiction and inconsistency over FIR. It is pointed out that considering the aforesaid aspect the main co-accused Nitish Kumar who alleged to abducted minor daughters of informant was granted regular bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 7130 of 2026 dated 01.04.2026. It is submitted that petitioner is the elder brother of said co-accused Nitish Kumar against whom allegation is only of abuse and assault. While concluding argument, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer of bail could not disputed aforesaid factual submission.

6. In view of aforesaid factual submissions and by taking note of fact as allegation of abduction is not available against this petitioner, rather same is available against his brother, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period



of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI cum the Special Judge, POCSO Act, West Champaran at Bettiah/concerned Court, where the case is pending in connection with Nautan P.S. Case No. 326 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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