

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38366 of 2026

Arising Out of PS. Case No.-118 Year-2026 Thana- DALSINGHSARAI District- Samastipur

1. Vishwanath Mahto S/o- Late Tirath Mahto R/v- Prem Brahanda Ps- Ujiarpur Dist- Samastipur
2. Sudhir Kumar S/o- Vishwanath Mahto R/v- Prem Brahanda Ps- Ujiarpur Dist- Samastipur
3. Santosh Kumar S/o- Vishwanath Mahto R/v- Prem Brahanda Ps- Ujiarpur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Dalsingsarai P.S. Case No. 118 of 2026 registered for the alleged offences under Sections 137(2), 140(1) r/w Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the informant, a married person, entered into affair with the daughter of petitioner no. 1 and solemnized marriage with her and started living as husband and wife. Subsequently, the informant was abducted by the petitioners and they confined him in a room with intention to



kill him. The informant was rescued by the police party.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The prosecution story is quite absurd. In fact, the husband of daughter of petitioner no. 1 has registered a case against the present informant vide Ujiarpur P.S. Case No. 328 of 2025 under Section 87 of BNS and in order to save himself from the said case, the informant has lodged this false case against the petitioner. The conduct of the informant shows he is not a good person who entered into an affair, even though he was already married having a child and a pregnant wife. The petitioners are father and brothers of the lady who was taken away by the informant of this case. The petitioner are in custody since 07.03.2026 and they are having clean antecedent. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioners and their clean antecedent along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail



bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Dalsingsarai, Samastipur/court concerned in connection with Dalsingsarai P.S. Case No. 118 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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