IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42876 of 2026

CNR No. BRHC010560362026

Arising Out of PS. Case No.-10 Year-2025 Thana- SARAI RANJAN District- Samastipur

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Raja Kumar @ Raja Mahto S/O Naresh Mahto R/O village - Raepur Buzurg , Police Station - Sarairanjan , District - Samastipur

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXXX S/O YYYY R/O village - Gangsara , Police Station - Sarairanjan , District - Samastipur

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

6 18-11-2026 Heard learned counsel for the petitioner and learned APP for the State. Although notices have been validly served upon O.P. No. 2, there is no representation on his/her behalf.

2. The Petitioner is apprehending his arrest in connection with Sarairanjan P.S. Case No. 10 of 2025 registered for the offence punishable under Sections 137(2) and 96 of the B.N.S.

3. As per the prosecution case, the daughter of the informant who happens to be the minor victim of the case, had gone to school and on the way co-accused Rakesh Mahto and the petitioner kidnapped her. A search was made, but she could not be traced.

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4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that, after thorough investigation, the police submitted a final form exonerating the petitioner, however, the learned Magistrate took cognizance against him and as such the petitioner apprehends his arrest. It has further been submitted that the petitioner happens to be a friend of co-accused Rakesh Mahto and, in fact, there was a love affair between co-accused Rakesh Mahto and the daughter of the informant, they had voluntarily eloped and got married in Delhi, which is evident from the statement of the victim recorded under Section 183 of the BNSS. There is no allegation of misbehaviour against the petitioner. Moreover, it has been submitted that co-accused Rakesh Mahto was taken into custody and was subsequently granted the privilege of regular bail by a Co-ordinate Bench of this Court vide order dated 02.04.2026 passed in Cr. Misc. No. 79685 of 2025. Further, learned counsel for the petitioner has submitted at the Bar, on instruction, that co-accused Rakesh Mahto has married the victim girl and they are living together. Lastly, it has been submitted that the petitioner has clean criminal antecedent as stated in para 3 of the bail petition.

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5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, particularly the fact that the victim has solemnized marriage with co-accused Rakesh Mahto and there is no allegation of misbehaviour against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur, in connection with Sarairanjan P.S. Case No. 10 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. Accordingly, the present application stands allowed.

9. It is directed that one of the bailors shall be close relative of the petitioner.

(Praveen Kumar, J)

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