

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55088 of 2025

Arising Out of PS. Case No.-333 Year-2023 Thana- PATAHI District- East Champaran

1. Sachin Kumar S/O Haresh Mahto Resident of Village-Ratan Sayar, P.S. - Patahi, Dist - East Champaran
2. Jogni Devi W/O Haresh Mahto Resident of Village-Ratan Sayar, P.S. - Patahi, Dist - East Champaran
3. Haresh Mahto S/O Kedar Mahto Resident of Village-Ratan Sayar, P.S. - Patahi, Dist - East Champaran
4. Anita Kumari @ Anita Bua Kumari @ Anita Devi D/O Kedar Mahto Resident of Village-Ratan Sayar, P.S. - Patahi, Dist - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/O Ajay Mahto Resident of Village-Ratan Sayar, P.S. - Patahi, Dist - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Madhurendra Kumar
For the Opposite Party/s :	Mr. Manoj Kumar
	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 20-02-2026 Heard the learned counsel for the petitioners and
learned counsel for the State.

2. The petitioners apprehend arrest in connection with Patahi P.S. Case No. 333 of 2023 registered for offences under Sections 363, 366A, 506 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The petitioners are accused of kidnapping the victim girl and the victim has not been recovered by the Police yet.



4. Learned counsel for the petitioners submits that the petitioners are quite innocent and have not committed any offence. He further submits that the main allegation of kidnapping the victim is against petitioner No. 1, Sachin Kumar, and petitioners Nos. 2 to 4 are the family members of petitioner No. 1.

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

6. I have considered the submissions of the parties and have gone through the materials available on record.

7. Considering the allegation levelled against the petitioner no. 1, I am not inclined to grant anticipatory bail to the petitioner no. 1.

8. Accordingly, the prayer of the petitioner no. 1 for anticipatory bail is hereby rejected. He is directed to surrender in the Court below within a period of two weeks from today and seek regular bail, failing which the Superintendent of Police, East Champaran, Motihari will take all steps for the arrest of the petitioner.

9. As far as petitioners Nos. 2 to 4 are concerned, considering the fact that they are the family members of the main accused, their prayer for anticipatory bail is allowed.



10. Accordingly, let the petitioner nos. 2 to 4, above-named, in the event of their arrest or surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, East Champaran, Motihari in connection with Patahi P.S. Case No. 333 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

11. It is, however, clarified that the observations made herein are limited to the adjudication of the present application and shall not prejudice the case of the petitioner no. 1 at any subsequent stage of the proceedings.

12. In view of the above, the application is partly allowed.

13. Let a copy of this order be communicated to the Superintendent of Police, East Champaran, Motihari through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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