

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52758 of 2026

Arising Out of PS. Case No.-157 Year-2023 Thana- HALSI District- Lakhisarai

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Akhilesh Mahto @ Aklesh Kumar S/O Naro Mahto @ Naresh Mahto @
Naresh Prasad R/V- Ramsagar, PS- Sikandara, Distt- Jamui

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner and

the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Halsi P.S. Case No. 157 of 2023, for allegedly having committed offence under Sections 363 and 366(A) of the I.P.C.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on 21.06.2023, when he woke up at around 03:00 a.m. in the morning, he saw that the door of his house is open and his daughter is not there. He further disclosed her mobile number and disclosed other two mobile members, from which call was received on the mobile number of his daughter.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not been named in the first information report. He further submits that the alleged mobile



numbers does not belong to the petitioner and the victim was subsequently recovered and she gave her statement under Section 164 of the Cr.P.C. on 02.12.2025, wherein she stated that she was residing at Delhi and has also solemnized marriage with the petitioner. He further submits that the victim is a major and she has solemnized marriage with the petitioner on 25.05.2025. He further submits that the petitioner has got a clean antecedent.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner abducted the daughter of the informant.

6. Having heard the rival submissions and after going through the records, it appears that the allegation in the first information report is that when the informant woke up at around 03:00 A.M. in the morning, he did not found his daughter in home and the door of the house was open. From the impugned order dated 16.06.2026 passed in A.B.P. No. 671 of 2026 by the learned District and Additional Sessions Judge-II, Lakhisarai, it would transpire that the victim girl after her recovery gave her statement under Section 164 of the Cr.P.C. on 02.12.2025, wherein she disclosed that she was residing at Delhi



with the petitioner after solemnizing marriage. Considering the fact that both the petitioner and the victim girl have already solemnized the marriage and the victim girl in her statement recorded under Section 164 of the Cr.P.C. has disclosed the said fact, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Halsi P.S. Case No. 157 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(i) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

AjayMishra/-

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