

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57437 of 2025

Arising Out of PS. Case No.-1212 Year-2024 Thana- MAHUA District- Vaishali

Manish Kumar Son of Ravindra Singh Resident of village - Mohjamma, P.S.-
Mahua, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukesh Pandit Son of Ramjot Pandit Resident of Jahangirpur, Salkhanni,
P.S.- Mahua, District - Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice and ordinary
notice having been personally received by the opposite party
no.2, the opposite party no.2 has chosen not to appear.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 137(2), 87
and 3(5) of the B.N.S. and Sections 4 and 6 of the POCSO Act.

3. The allegation in the First Information Report
relates to kidnapping of the informant's daughter aged about 17
years by three accused persons including the present petitioner.

4. Learned counsel for the petitioner submits at the
outset that although the occurrence had taken place on



11.11.2024, the First Information Report was lodged on 13.11.2024 i.e., after delay of two days for which no explanation has been tendered. Moreover, the victim had returned home on 13.11.2024 and immediately thereafter her statement under Section 180 of B.N.S.S. and Section 183 of B.N.S.S. was recorded before the Magistrate and in both the statements, she has denied the very factum of kidnapping and has rather stated, as would appear from paragraph-60 of the case diary, that she had left home without telling her parents as she had fear of her parents getting her forcefully married.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the delay in the F.I.R., coupled with the statement made by the victim in her statement under Section 183 of the B.N.S.S. , let the above named petitioner, who has no criminal antecedent, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below



where the case is pending/successor Court in connection with Mahua P.S. Case No. 1212 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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