

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77661 of 2025

Arising Out of PS. Case No.-668 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Jyoti Raj @ Jyotish Kumar @ Jyotish Mahto Son of Krishnandan Mahto @
Krishna Mahto R/o Village - Kakan, P.S. and Dist. - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o- YYY R/o-Vill - Vidyapith Chowk P.S. - Lakhisarai District - Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-01-2026 Despite of valid service of notice, no one appears on behalf of Opposite Party No. 2.

2. Heard Mr. Rabi Bhushan, learned counsel for the petitioner and Mr. Shailendra Kumar, learned APP for the State.

3. Petitioner seeks bail, who is in custody since 30.05.2025, in connection with Lakhisarai P.S. Case No. 668 of 2024, F.I.R. dated 19.12.2024 registered for the offences punishable under Sections 96 of the B.N.S., 2023.

4. Allegation against the petitioner is that he along with other co-accused persons have kidnapped the minor daughter of the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. The informant has already filed another case for the same set of allegation i.e. Lakhisarai P.S Case No. 21 of 2025 under Sections 137(2) & 96 of the B.N.S., 2023 and the petitioner has been granted bail by a Coordinate Bench of this Court vide order dated 22.09.2025 passed in Cr. Misc. No. 42124 of 2025. He further submits that the victim was recovered and her statement under Section 183 of the B.N.S.S., 2023 was recorded in which she has not supported the case of the prosecution and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 30.05.2025.

6. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one in which he is on bail in the pending matters.

7. Considering the facts and circumstances of the case and the fact that the victim has not supported the case of the prosecution in her statement recorded under Section 183 of the B.N.S.S., 2023 as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each



to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 668 of 2024, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below 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 below shall take step 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.

(Rajesh Kumar Verma, J)

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