

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 305 of 2026

(Arising out of Gopalganj P.S. Case No. 327 of 2023, registered U/S 363 and 366-A/34 of the I.P.C.)

In the matter of :-

Name of the petitioner	: Mantu Yadav.
F.I.R. U/S	: <u>363 and 366-A/34 of the I.P.C.</u>
Charge-Sheet U/S	: <u>363 and 366-A and 376/34 of the I.P.C.</u>
Counsel for the Petitioner	: Shri Ranjan Kumar Sirvastava, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

O r d e r

22-05-2026

1. This bail application filed on behalf of above named accused-petitioner, who is in judicial custody since 13-02-2026, in connection with Gopalganj P.S. Case No. 327 of 2023, registered U/S 363 and 366-A/34 of the I.P.C., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on the basis of written application of the informant, Gopalganj P.S. Case No. 327 of 2023 has been lodged U/S 363 and 366-A/34 of the I.P.C. against the petitioner and others for the alleged offence of dated 15-03-2023. It is inter alia alleged in the F.I.R. that on 15-03-2023 at about 06:00 pm, informant's daughter was taken away to defecate by accused Hewanti Devi, Anjali Kumar and Fulmati Devi by calling from her house but she did not returned back. When informant asked the accused persons, accused Rajendra Mahtag told that within 10-15 days she will returned back and when she made complaint to Sarpanch of village and he kept evading and one month elapsed. Informant has suspected that all the accused persons have disappeared the victim girl and she is afraid that any incident may not cause with her. It is alleged that informant made inquiry about her daughter from the accused persons, they while abusing chased her away.

3. It is submitted on behalf of the accused-petitioner that he is innocent and has committed no offence and has been falsely implicated in this case due to previous enmity and village politics. It is further submitted that petitioner has got no criminal antecedent and he bears clean past. It is further submitted that the case has been compromised between the parties and compromise petition is filed. It is further submitted that petitioner is not named in the F.I.R. and the victim has named this petitioner in their statement recorded U/S 164 Cr.P.C. It is lastly submitted that petitioner is in custody since 13-02-2026. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel appearing on behalf of the petitioner as well as ld. P.P. for the State. Ld. P.P. has opposed the prayer for bail of the

petitioner.

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5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R. as well as case diary, it transpires that in this case all the F.I.R. named accused persons have kidnapped the informant's daughter. Although, petitioner is not named in the F.I.R. but his name has surfaced in the statement of the victim girl, who was recovered by the police and recorded her statement U/S 164 Cr.P.C. before the Id. Magistrate. In her statement recorded U/S 164 Cr.P.C., she has fully supported the case of the prosecution and she has stated that she was taken away at unknown place by this petitioner, where she was kept in a room and several times, petitioner has committed rape with her and she has further stated that petitioner along with other threatened the victim girl to give statement against her family members and when she forbade to so, petitioner left her in a room and went away from there. Thereafter, somehow victim girl came at Siwan and after that she went Gopalganj P.S., from where she was brought before the Id. Magistrate to record her statement and she has further stated in her statement that she wants to live with her parents. Para-184 of the case diary shows that during the course of investigation, petitioner was caught by the police. From perusal of para-208 of the case diary, it appears that during the course of investigation, allegation against the petitioner has been found to be true U/S 363, 366-A and 376/34 of the I.P.C. and Charge-Sheet No. 357/26 dated 07-04-2026 has been submitted while keeping supplementary investigation pending. Para-209 of the case diary shows that supplementary investigation is still going.

6. Considering the aforesaid facts and circumstances of this case and considering the seriousness of the offence, this court is not inclined to grant bail to the petitioner. Hence, bail prayer of the petitioner is hereby ***rejected with observation that if after framing of charge within one month, prosecution fails to produce witness (informant and victim) or any new facts comes in evidence, petitioner may renew the prayer for bail.***

Let a copy of this order along with lower court record be transmitted to Id. Court below forthwith and the order be uploaded on C.I.S. immediately.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.