

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35779 of 2015

Arising Out of PS.Case No. -283 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Sunil Kumar @ Sunil Singh son of Shri Amarjeet Singh
 2. Dharmendra Mahto son of Fuleshwar Mahto Both are residents of village & Police Station- Pahlejaghat, District- Saran (Chapra)
 3. Chanda Devi wife of Shri Mukesh Mahto, resident of village- Rampur Rajdhari, P.S.- Mahua, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 21-08-2015 Heard learned counsel for the petitioners, learned Additional P.P. for the State as well as learned counsel for the informant.

The petitioners seek bail in a case registered for the offences punishable under sections 363, 366-A, 379/34 of the Indian Penal Code.

Father of the victim made allegation that in the night of 10.06.2015 accused Sunil Singh and Chanda Devi kidnapped his minor daughter for the purpose of killing or for sale. The informant further disclosed that when he went to enquire, Kishori Singh, Dharmendra Mahto and Nilam Devi wife of



Dharmendra Mahto assaulted him. The victim was produced in the police station by Dharmendra Mahto, petitioner no. 2, but the police did not get her statement recorded under section 164 Cr.P.C. The victim made her statement under section 164 Cr.P.C. on 25.06.2015 and she disclosed that her aunt took her to Hajipur and confined her in a room. She further disclosed that on the next day some body came and told to pay Rs.40,000/-. On the next day Dharmendra Manto brought her to the police station. The victim herself went along with her aunt and after 12 days of her recovery the police got her statement recorded under section 164 Cr.P.C.

Learned counsel for the informant as well as learned Additional Public Prosecutor for the State vehemently opposed the prayer for bail and submitted that the victim was a minor girl and she was kidnapped but from perusal of the statement of the victim it does not appear that the victim was ever kidnapped for any purpose. She herself on the request of her aunt, Chanda Devi, petitioner no. 3, went along with her with the ornaments of her mother but she did not make any statement about the whereabouts of the ornaments. Chanda Devi is the wife of brother of the informant.

Considering the facts aforesaid, the petitioners

above named, are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 283 of 2015.

(Prabhat Kumar Jha, J)

Amin/-

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