

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12101 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -SONEPUR District- SARAN

- =====
1. Baharan Mahto @ Baharan Mahato Son of Late Ram Awatar Mahto
 2. Fuleshwari Devi @ Fuleshari Devi Wife of Shri Baharan Mahto
 3. Satyendra Mahto @ Stendra Mahto Son of Shri Baharan Mahto
- All are residents of village Kadana, Police Station- Garkha, District - Saran(Chapra)
4. Deonath Mahto @ Deo Nath Mahato Son of Fulsahi Mahto
 5. Amarjeet Mahto @ Amarjeet Mahato Son of Deo Nath Mahto 4 & 5 are residents of village- Harpur Gadauna, Police Station- Dariyapur, District- Saran(Chapra.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Manakiya Devi Wife of Chandradeep Mahto, resident of village- Kalyanpur, P.O. Baijalpur, Police station- Sonepur, District- Saran(Chapra)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 05.05.2015

Heard learned counsel for the petitioners as well as learned

Addl. Public Prosecutor for the State.

The present case has been registered on the basis of complaint filed by the informant who happens to be own mother of petitioner no.2, Fuleshwari Devi @ Fuleshari Devi.

The accusation against the petitioners is that they took informant's son on 20.11.2013 on the pretext to provide him treatment but victim was found traceless since then.

The contention on behalf of the petitioners is that, as a matter of fact, victim was mentally derailed person and he left his

home and still he is missing. It is further contended by him that informant lodged this case at the behest of enemy of the petitioners and later on, when she realized her mistake, she filed compromise petition and appeared before learned Sessions Judge, Chapra to support the factum of compromise.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in Sonapur P.S. Case no. 119/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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