

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2019 of 2015

Arising Out of PS.Case No. -199 Year- 2014 Thana -KHODAWANPUR District- BEGUSARAI

- 1. Murari Mahton Son of Upendra Mahton
- 2. Udesb Mahton Son of Bindeshwari Mahton Both resident of Village - Phaphaut, P.S. - Khodawandpur, Distt - Begusarai.
- 3. Misscall @ Ram Sagar Mahton S/o Yogendra Mahton Resident of Village - Arjuntola, P.S. - Cheriya Bariarpur, Distt - Begusarai.

.... Petitioner/s

Versus

- 1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 13-05-2015 Heard learned counsel for the petitioners and learned A.P.P.

Petitioners apprehend their arrest in Khodabandpur P.S.Case No. 199/2014 under Sections 364, 328/34 I.P.C and 25 (1-B) A/35 A Arms Act.

The informant alleged that at about 9 to 9.30 P.M. he received a call from the wife of Murari Mahton (petitioner No. 1) on his mobile, who said that Murari Mahton was not at home. The informant went to the house of Murari Mahton who came in the meantime and saw that the informant and the wife of the petitioner No. 1 were in compromising position. Thereafter, Murari Mahton

came along with other accused persons and kidnapped the informant in a Bolero bearing No. BR 09M 1201.

Learned counsel for the petitioners submits that there is no eye witness of the said occurrence nor the petitioners are the owner of the said vehicle.

Petitioner No. 3 has already been arrested, as such the present application so far his prayer is concerned, has become infructuous, which has earlier been ordered on 02.04.2015 by a co-Ordinate Bench of this Court.

Considering such circumstances, it is directed that in the event of arrest or surrender within a period of four weeks from today, the above named petitioners Nos. 1 and 2 shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Begusarai in Khodabandpur P.S.Case No. 199/2014, subject to condition as laid down under Section 438 (2) of Cr. P.C.

(Nilu Agrawal, J)

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