

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31318 of 2015

Arising Out of PS.Case No. -8 Year- 2011 Thana -MEDANICHOWK District- LAKHISARAI

1. Udho Mahto
2. Jago Devi w/o Udho Mahto

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. B.N.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 366A of the Indian Penal Code.

The prosecution case is that Pratima Kumari, the daughter of the informant being kidnapped, the FIR was registered against 8 persons including petitioner no.2 Jago Devi whereas name of petitioner no.1 Udho Mahto transpired during investigation. The charge-sheet was only submitted against Ajeet Kumar whereas the petitioners were not sent up for trial and final form was accepted but during trial of Ajeet Kumar four witnesses were examined and on the basis of evidence of four P.Ws, the petitioner has been summoned in exercise of jurisdiction under

section 319 Cr.P.C.

Considering the fact that one of the petitioner was not named in the FIR, the petitioners were not sent up for trial and final form was accepted, moreover, statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Lakhisarai in connection with Medni Chowk P.S. Case No.8 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

Ashwini/-

(Dinesh Kumar Singh, J)

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