

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37598 of 2015

Arising Out of PS.Case No. -256 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

- =====
1. Kamlesh Kumar Son of Ram Parvesh Mahto
 2. Ram Pravesh Mahto Son of Late Mahadev Mahto Both resident of
village - Anandpur Baradaud, P.S. Paroo, Distt. - Muzaffarpur
- Petitioner/s

Versus

1. The State of Bihar
 2. Rajballi Mahto S/o Ramashankar Mahto R/o village - Anandpur
Baradaud, P.S. Paroo, Distt. - Muzaffarpur
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap (APP)

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 23-11-2015 Heard learned counsel for the petitioners, learned

Additional Public Prosecutor for the State and learned counsel for

the opposite party no.2.

The petitioners pray for anticipatory bail in a
complaint case under Sections 406 and 420 of the Indian Penal
Code.

Learned counsel for the petitioners submits that
the petitioners have been falsely implicated on account of
information given by the petitioner no. 2 on 19.11.2014 to Paroo
Police Station regarding the abduction of the petitioner no.1, who
is his son, alleging that the complainant and his other associates
had done so for the purpose of marriage of the petitioner no. 1 by
force and the petitioner no. 1 was thereafter recovered and handed
over to the petitioner no. 2 and subsequently on 27.2.2015 the

false complaint case has been filed. It is further submitted that the cousin of the petitioner no. 1 is already married with the elder daughter of the complainant and the complainant has been trying to get his younger daughter married with the petitioner no. 1. It is also submitted that the petitioners do not have any criminal antecedent.

Learned counsel for the complainant, on the other hand, submits that the petitioners, after having taken the amounts of Rs. 1,01,000/- and ornaments, had started making further demands which, upon not being fulfilled, the Chheka (engagement) was cancelled by them.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Kamlesh Kumar and (2) Ram Pravesh Mahto, in the event of their arrest/surrender in the Court below within a period of four weeks from today, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Complaint Case No. 256/2015, Trial No. 73/2015 to the satisfaction of Sri M.K.Mishra, Judicial Magistrate 1st Class, Muzaffarpur, subject to the other applicable conditions as laid down under Section 438(2) Cr.P.C.

(Ramesh Kumar Datta, J)

S.Pandey/-

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