

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.289 of 2015

Arising Out of PS.Case No. -208 Year- 2013 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

- =====
1. Rajeev Kumar S/o Jagdish Mahto
 2. Nagendra Mahto
 3. Gajendra Mahto 2 and 3 son of Jagdish Mahto All resident of Village - Bhagwatpur, P.S. - Islampur, District - Nalanda.

..... Petitioner/s
Versus

1. The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surj Bansh Roy
For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 03-02-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Islampur P.S. Case No. 208 of 2013 registered for the offences punishable under Sections 365, 379, 506, 120B of the Indian Penal Code.

The accusation against the petitioners is that they took away the informant's husband who is still traceless.

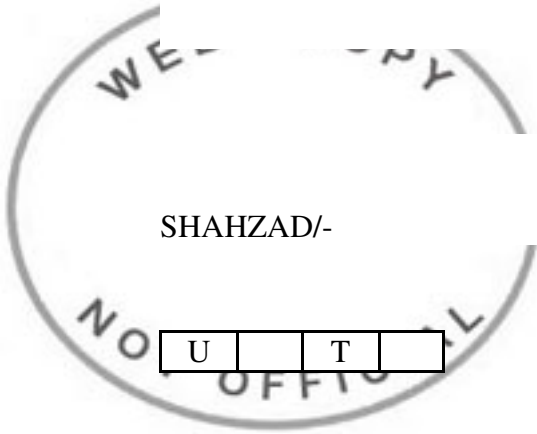
The contention on behalf of the petitioners is that the present case has been lodged on account of enmity and as a matter of fact, the husband of the informant was a drunkard and he left



his home along with the informant and his children but he was caught by the G.R.P. police while traveling in ladies compartment and he was forced to get down from the ladies compartment and since then he is missing. It is further contended by him that mother of the victim gave a sanha to Islampur police station about the above stated occurrence and in Islampur police station Sanha No. 105 of 2013 dated 04.07.2013 was registered which is evident from perusal of Annexure-2 to this petition and information regarding the registration of the aforesaid sanha was given to investigating officer but the investigating officer in stead of verifying the genuineness of the aforesaid sanha from Islampur police station verified from the records of Rail Thana, Patna which is evident from perusal of para 89 of the case diary.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that the investigation against the petitioners has already been completed, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, 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 Sri Sumit Ranjan, Judicial Magistrate,

Hilsa, Nalanda in Islampur P.S. Case No. 208 of 2013 subject to
condition as laid down under Section 438(2) of the Cr.P.C.



(Hemant Kumar Srivastava, J)