

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7154 of 2014

Arising Out of PS.Case No. -315 Year- 2013 Thana -AMARPUR District- BANKA

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1. Pawan Mahto @ Pawan Kumar Mahto Son Of Kapil Mahto
2. Bipin Mahto Son Of Kapil Mahto
3. Kapil Mahto Son Of Late Biranchi Mahto All R/O Village -Navtolia, P.S.
Amarpur, District-Banka

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

7 15-01-2015

Heard the parties.

This is an application for anticipatory bail for the offence punishable under sections 366 A/34 of the I.P.C.

Allegedly the son of petitioner no.3, namely, Bishnu Mahto kidnapped the minor daughter of the informant and the petitioners being the brothers and father have also been implicated in this case to have assisted the co-accused Bishnu Mahto.

Submission is that the petitioners have got no concern with Bishnu Mahto and his affairs. In the case diary it has come that Bishnu Mahto is living with the girl at Merath and as such the petitioners having no concern deserve sympathetic consideration, to which the learned A.P.P. submits that in paragraphs 55 and 56 it

has come that Bishnu Mahto is residing at Merath and working as labourer.

In the facts and circumstances as stated above, considering that in the alleged kidnapping, as submitted, the petitioners have got no role and as such the petitioners in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order 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 C.J.M. Banka in Amarpur P.S. Case No. 315 of 2013, subject to the conditions as laid down in section 438 (2) of the Cr.P.c.

(Jitendra Mohan Sharma, J)

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