

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29507 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -AMARPUR District- BANKA

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1. Gholta Tanti @ Gholti Kumar Tanti, son of Naresh Tanti
2. Bino Tanti @ Bino @ Binba Tanti, son of Naresh Tanti Both resident of
Village- Kashpur, P.S.- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta

For the Opposite Party/s : Mr. Md. Ansural Haque (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-10-2015 Heard the learned counsel for the petitioners as well

as the learned A.P.P.

The petitioners seek bail in a case for the offences
punishable under sections 366A/34 of the I.P.C

Allegedly, Sajni Devi, the sister of the informant, had
gone to attend the call of the nature with co-accused Rambha Devi
at 7 P.M. but she did not return and Rambha Devi told that two
boys came on the motorcycle and took her away forcibly towards
Amarpur.

Submission is of false implication and that the victim
girl has given her statement under section 164 of the Cr.P.C vide
Annexure-2 wherein she has stated that she was taken away by

petitioner no.2 on the motorcycle but has not alleged that she was sexually harassed by him and as such the petitioners who are suffering in custody since 18.04.2015 deserve sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, as the victim has not stated regarding any sexual harassment in her statement recorded under section 164 of the Cr.P.C, vide Annexure-2, and as such the petitioners are directed to 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. 80 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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