

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40198 of 2014

Arising Out of PS.Case No. -104 Year- 2014 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Godhani Devi , wife of Jagdhar Mahto
2. Jagdhar Mahto son of Late Sukdeo Mahto
Both residents of village Lakhanpur Police Station Lauriya district west
Champaran, Bettiah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 13-03-2015 Heard Sri Bimal Kumar, learned counsel for the

petitioners and Sri Nityanand Tiwary, learned Additional Public

Prosecutor.

Two petitioners, apprehending their arrest in Lauriya
P.S. Case No. 104 of 2014 registered for the offence under
Section 341, 323, 366(A)/ 120(B) of the Indian Penal Code have
prayed for grant of bail.

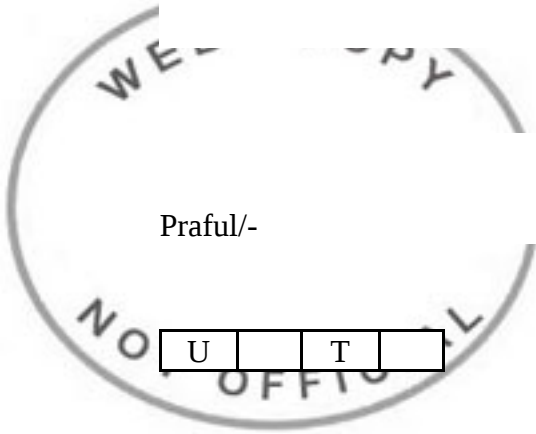
It was submitted by learned counsel for the petitioners
that petitioners have been made accused only due to the reason
that son of the petitioners namely Manoj Mahto had enticed the
sister of the informant and thereafter the minor victim girl was

kidnapped by the son of the petitioners. Of- course in the F.I.R. they were named as accused, however during investigation the statement of the victim was recorded under Section 164 of the Cr.P.C. Copy of the same has been brought on record as Annexure - 2 to the petition. Learned counsel for the petitioners submits that in statement under Section 164 Cr.P.C. the victim had not whispered anything against the petitioners.

Learned counsel for the petitioners has produced a copy of the order dated 18.12.2014 passed in Cr. Misc. No. 50467 of 2014 whereby the main accused Manoj Mahto has been granted regular bail by this court.

In view of the facts and circumstances particularly the fact that petitioners are parent of the main accused and main accused has already been enlarged on bail , there is no reason to deny the prayer for grant of anticipatory bail to the petitioners. Accordingly, both the petitioners namely Godhani Devi and Jagdhar Mahto are directed to be released on bail in the event of their arrest or surrender within a period of eight weeks from today on furnishing bail bonds of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Atul Kumar Pathak, learned Judicial Magistrate Ist Class, West Champaran in connection with Lauriya P.S. Case No. 104 of

2014 under the conditions contained in Section 438 (2) of the
Cr.P.C.



(Rakesh Kumar, J)