

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31223 of 2015

Arising out of PS.Case No. -41 Year- 2015 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

1. Satendra Mahto, S/o Ramashish Mahto of Vill. - Barharwa, P.S. -
Kotwa, Dist. - East Champaran.
2. Surendra Mahto, S/o Late Mohan Mahto of Vill. - Suryapur, P.S. - Pipra
Kothi, Dist. - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Sangeet Deokuliar, Advocate.
For the Opposite Party : Mr. Md. Arif(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 The petitioners are apprehending their arrest in connection
with Piprakothi P.S. Case No. 41 of 2015 for the offences
instituted under Sections 363 and 366A of the IPC.

Heard learned counsel for the petitioners and learned
counsel for the State.

The prosecution story, in brief, is that on 28.03.2015 in
the night at about 9.00 P.M., the informant's daughter-in-law,
Manisa Devi and his daughter Ful Kumari alias Kalo Kumari aged
about 14 years had gone to out side of village to ease themselves,
but till 10.00 P.M., they could not return back to their home.
Thereafter, the informant and his family members started

searching them and came to know that these two petitioners have kidnapped them with a view to sell them.

It has been submitted on behalf of the petitioners that the petitioners have been made accused in the present case due to mistake of fact. It is further submitted that the victims have been examined under Section 164 Cr. P.C. in which they have not named the petitioners nor any allegation has been made against them. The 164 Cr. P.C. statements are Annexures-2 and 2/1.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Piprakothi P.S. Case No. 41 of 2015(G.R. No. 1714/2015) on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)