

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26944 of 2015

Arising Out of PS.Case No. -48 Year- 2014 Thana -KORHA District-KATIHAR

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1. Vishal Kumar Mahto S/O- Satya Narayan Mahto, R/O- Rajjiganj, P.S.-
Korha, Distt-Katihar

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh

For the Opposite Party : Mr. M.K.Khare(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-07-2015

Heard both sides.

Petitioner seeks bail in a case registered under Sections 376, 511 and 504/34 of the IPC with an allegation that the daughter of the informant while going alone was kidnapped and dragged to a nearby maize field with a view to commit rape. However, she raised alarm and the witnesses arrived whereafter she escaped.

Contention of the petitioner is that the allegation has been levelled due to dirty village politics. He is aged about 19 years having no criminal antecedent. A kind of compromise has also been entered between the parties. It is also stated that he has recently lost his father. In the event of privilege of bail he will not indulge in commission of any such crime. He is in custody since

24.5.2015.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of bail to the petitioner. Let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Katihar in connection with Korha P.S. case no. 48 of 2014, with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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