

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10043 of 2016

Arising Out of PS.Case No. -172 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

1. Jagdeo Mahto S/o Late Mohan Mahto R/O Kawalpur Dih Tola, P.S.-
Turkauliya, Dist- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 26-04-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in Turkauliya P.S.Case No.
172 of 2014 registered for the offences punishable under sections
363, 366(A), 379 and 34 of the I.P.C

Allegedly, the minor girl of the informant, namely,
Mintu Kumari was enticed away by Radhika Devi and Prabha
Devi with cash of Rs. 1,20,000/- and ornaments of Rs. 50,000/-.
Again it is alleged that the petitioner also helped them in
kidnapping of the minor daughter of the informant.

Submission is of false implication that the petitioner
has got no concern with the alleged kidnapping and there is no
legal and tangible material against the petitioner. During
investigation, the name of co-accused Ram Nath Sahni has

transpired, who helped Radhika Devi in fleeing away, which is evident from paras 25,26 and 27 of the case diary and Ramnath Sahni has already been allowed pre-arrest bail and the petitioner is suffering in custody since 04.11.2015, having no criminal antecedent. No one has seen the petitioner enticing the victim girl and besides suspicion, there is nothing against him.

The learned A.P.P. submits that the petitioner is named in the F.I.R.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in Turkauliya P.S.Case No. 172 of 2014, 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 petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Sudha/-

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