

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5799 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Arjun Mahto, Son of Late Sahadur Mahto
 2. Hira Devi, Wife of Arjun Mahto
Both residents of village - Kalyanpur Khas, P.S. Kotwa, District - East Champaran
 3. Jeetu Kumar @ Jitu Mahto
 4. Satrugan Mahto
Both sons of Hari Mahto, residents of village - Pureniya Bairagi Tola, P.S. Kalyanpur, District - East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 22-02-2016 Heard learned counsel for the petitioners and Sri Anand Kishore Choudhary, learned Addl. Public Prosecutor.

Four petitioners, apprehending their arrest in connection with Kotwa P.S. Case no.117 of 2015 registered for the offence under Sections 366, 366 (A)/34 of the Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for the petitioners submits that of course, in the F.I.R. petitioners were arrayed as accused for the alleged offence, however during investigation, statement of the victim girl under Section 164 Cr.P.C. was recorded, a copy of the

same has been brought on record as Annexure-2 to the present application. He submits that the victim girl, who was aged about 19 years , had made specific statement before the learned Magistrate that she has voluntarily married with Jeetu Kumar @ Jitu Mahto (petitioner no.3 of the present case).

Besides hearing learned counsel for the parties, I have perused the materials available on record, particularly the statement of victim girl recorded under Section 164 Cr.P.C.. Let the petitioners, namely, (i) Arjun Mahto (ii) Hira Devi (iii) Jeetu Kumar @ Jitu Mahto and (iv) Satrugan Mahto, in the event of their arrest or surrender within six weeks from today, 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, East Champaran at Motihari in connection with Kotwa P.S. Case no.117 of 2015, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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