

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40929 of 2016

Arising Out of PS.Case No. -3 Year- 2008 Thana -KASBA District- PURNIA

=====

1. Surja Matho Son of Late Mahi Lal Mahto
2. Manoj Mahto Son of Surja Mahto
3. Pappu Mahto Son of Surja Mahto
All resident of village - Radha Nagar, Police Station Kasba, District Purnia

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 06-10-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The learned counsel for the petitioners, at the very outset, submitted that petitioner no.2 Manoj Mahto has already been arrested, therefore, this anticipatory bail application so far petitioner no.2 is concerned has become now infructuous. Accordingly, he pressed this anticipatory bail application on behalf of petitioner no.1 Surja Mahto and petitioner no.3 Pappu Mahto only.

It appears that the complaint case was filed by the complainant being Complaint Case No.2983 of 2007 against the accused persons alleging that the accused persons called the

husband of the complainant and the husband of the complainant slept with the accused persons in the night and from morning he is not traced. The complaint was sent to the police for lodging F.I.R. After lodging F.I.R. and after completion of investigation, final form was submitted to the effect that the occurrence alleged to have been taken place is false. However, differing with the final form, the learned Chief Judicial Magistrate took cognizance under Sections 363 and 420 I.P.C in the year 2012.

In view of the above facts and circumstances of the case I direct both the petitioners, namely, Surja Mahto and Pappu Mahto to surrender before the court below within one month from today and on their so surrendering, the court below shall release them on bail on furnishing bail bonds of Rs.5,000/- (Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Purnea in connection with G.R. No.11 of 2008 arising out of Kasba P.S. Case No.03 of 2008.

So far petitioner no.2 Manoj Mahto is concerned, this criminal miscellaneous application is dismissed as withdrawn.

(Mungeshwar Sahoo, J)

Harish/-

U			
---	--	--	--