

Arising from the above, the following questions arise:

1. What is the nature of the problem?
2. What are the causes of the problem?
3. What are the effects of the problem?
4. What are the possible solutions?
5. What are the steps to be taken to solve the problem?

res

Sh

The S

- Petitioner/s

The State of Bihar

Criminal Miscellaneous No.20377 of 2016

=====

.... Petitioner/s

The State of Bihar

For the Opposite Party/s : Mrs. Renu Kumari(APP)

ORAL ORDER

Petitioners in Cr. Misc. No. 10483 of 2016 are



named in the First Information Report, whereas petitioner in Cr. Misc. No. 20377 of 2016 is not named in the First Information Report, but his name has surfaced on the confessional statement of one Bigu Kumar. They apprehend their arrest in connection with Tariyani P.S. Case No. 185 of 2015 registered for offence punishable under Sections 366(A)/34 of the Indian Penal Code. Subsequently, Sections 302, 376(D), 120B/34 of the Indian Penal Code, Section 4 of the Protection of Children from Sexual Offences, Act and Sections 3(1)(XII) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act have been added.

The prosecution case, in brief, is that Sanju Kumari had called the daughter of the informant, Rani Kumari on the pretext of visiting fair, but later the accused persons kidnapped her. Daughter of the informant is still traceless.

During course of investigation one Bigu Kumar has been charge-sheeted and on the basis of his confessional statement, name of petitioner Shiv Shankar Mahto has surfaced. Initially it was a case of kidnapping, but during investigation it was found that the victim girl had been brutally raped, killed and thrown in water.

It has been submitted by the learned counsel for the petitioners that petitioner nos. 2 and 5 in Cr. Misc. No. 10483 of 2016, namely, Malti Devi and Sanju Kumari have committed no offence. He also submits that matter is still under investigation.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report and hence, opposes the prayer for bail.

Since the allegation made against petitioner nos. 2 and 5 in Cr. Misc. No. 10483 of 2016, namely, Malti Devi and Sanju Kumari is on the basis of suspicion, they, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Shivahar in connection with Tariyani P.S. Case No. 185 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

Since allegations levelled against petitioner nos. 1, 3 and 4 in Cr. Misc. No. 10483 of 2016, namely, Kishori Mahto, Santosh Mahto and Dilip Mahto and petitioner in Cr.



Misc. No. 20377 of 2016, namely, Shiv Shankar Mahto are of heinous nature, their prayer for grant of anticipatory bail is rejected.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--