

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28862 of 2016

Arising out of P.S. Case No.18 Year- 2016 Thana -AWTARNAGAR District- SARAN

- =====
1. Gangajali Devi, w/o late Manoj Mahto
 2. Guddi Devi, d/o late Manoj Mahto
 3. Subodh Mahto @ Sumit Kumar Mahto, s/o late Manoj Mahto
- All resident of village- Naraon, P.S.- Awatar Nagar, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh
For the State : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-07-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Awatar Nagar P. S. Case No. 18 of 2016 registered under Sections 366(A), 323 of the Indian Penal Code and Section 3(x) of the SC/ST Act.

Regard being had to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, as contained in Annexure-2 to the present application, the petitioners No. 1 and 2 namely, Gangajali Devi and Guddi Devi, in the event of arrest or surrender before the court below within six weeks

from today, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Awatar Nagar P.S. Case No. 18 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner No. 3 namely, Subodh Mahto @ Sumit Kumar Mahto is concerned, since there is specific allegation against him that he sexually exploited the victim, I am not inclined to grant him pre-arrest bail. Accordingly, his prayer for grant of pre-arrest bail is rejected.

(Ashwani Kumar Singh, J)

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