

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6588 of 2016

Arising Out of PS.Case No. -56 Year- 2015 Thana -NAYAGAON District- SARAN

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1. Santosh Mahto @ Santosh Kumar Mahto Son of Mural Mahto
2. Mural Mahta, Son of Late Vijali Mahto,
Both residents of village - Hasanpur, P.S. - Naya Gaon, District - Saran.
..... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 25-02-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Nayagaon P.S.
Case No. 56 of 2015 registered for the offence punishable under
Section 366A of the Indian Penal Code.

Allegedly, the victim Rupa Kumari, the minor sister of the
informant, was kidnapped by co-accused Vishal Mahto. During
investigation the victim girl was released and her statement has
been recorded under Section 164 Cr.P.C. wherein she has stated
the name of the petitioners also that they were also with co-
accused Vishal and she has not stated regarding any sexual
harassment.

Submission is of false implication and that the victim was
in love with Vishal and the petitioners have been implicated with

oblique motive and without any fault the petitioners are suffering in custody since 05.01.2016 after their surrender and as such they deserve sympathetic consideration as main accused has already allowed bail under Section 167 (ii) of the Cr.P.C.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 6, Saran at Chapra in connection with Nayagaon P.S. Case No. 56 of 2015, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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