

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53885 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -PATEPUR District- VAISHALI(HAJIPUR)

=====

1. Naresh Mahto Son of Sundar Mahto
2. Indu Devi Wife of Naresh Mahto
3. Mukesh Mahto Son of Naresh Mahto
4. Ranju Devi Wife of Yogendra Mahto
5. Suresh Mahto Son of Nagendra Mahto All residents of Village Malpur,
P.S. Patepur, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mrs. Renuka Ratnakar, APP

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 20-12-2016 Heard the Counsel for the petitioners and the APP for the
State.

As prayed, the application on behalf of petitioner no. 1,
namely, Naresh Mahto is dismissed as withdrawn.

The rest of the accuseds are cousin sisters-in-law and cousin
brothers-in-law of the victim and pray for grant of anticipatory
bail in Patepur P.S. Case No 61 of 2016 registered under sections
363, 365 and 120(B) of the Indian Penal Code.

The father of the victim lodged the case that after the
marriage of his daughter, she became mother of a daughter. Both
of them were made traceless in the year 2014. It was with a view
to grab the property. However, the F.I.R. was lodged after two



years in which the husband of the daughter was not made accused.

Learned counsel submits that delay in the present case would be fatal. There is explanation of the eloping of the daughter-in-law of the informant in the shape of the statement of the husband of the victim mother. Petitioners are not to be benefited in any manner because they are not directly related to the victim.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner nos. 2 to 5 abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in Patepur P.S. Case No. 61 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to



cancel the bail bond of the petitioners and secure their arrest in
accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

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

