

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9133 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -KARJA District- MUZAFFARPUR

- =====
1. Naresh Mahto, son of Dhorha @ Dhorha @ Dhorha Mahato, R/o Village Barka Gaw.
 2. Rakesh Mahto @ Vijay, son of Jagdeo Mahato, R/o Village Chainpur Parari, both P.S. Karja, District- Muzaffarpur. Petitioners
- Versus

The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Mithilesh Kumar Vidyarthi, Advocate
For the Opposite Party : Mr. Ashok Kumar Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-04-2017 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Karja P.S. Case No. 121 of 2016 (G.R. 2508 of 2016), registered for the offences punishable under Sections 120(B), 364, 302 of the Indian Penal Code.

Allegedly, the petitioners have taken away the younger brother of informant to Rajashtan to engage in a construction company as a labourer and thereafter the brother of the informant became traceless and his whereabouts is still not known. The informant apprehends that his victim brother might have been killed.

Submission is of false implication and that the victim was a deaf and he himself left the place without telling anyone and



for that notice was published vide Annexure-2. There was no ill motive of petitioners to kidnap the brother of the informant and kill him, the petitioners have got no criminal antecedent and they have been made victim of the circumstances and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that investigation is still going on and during investigation the informant in his further statement and other witnesses have supported the prosecution version.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur, in connection with Karja P.S. Case No. 121 of 2016 (G.R. 2508 of 2016), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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

