

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1232 of 2017**

Arising Out of PS.Case No. -319 Year- 2016 Thana -BARH District- PATNA

=====

Prahalad Mahto, son of Late Sujendra Mahto, resident of Village Nawada  
Ghat, P.S. N.T.P.S., Barh in the district of Patna

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Asharaf Ansari, APP

=====

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      16-01-2017                      Heard learned counsel for the petitioner and  
learned APP for the State.

Petitioner is languishing in custody since  
25.09.2016 in connection with Barh P.S. Case No. 319/16 for  
offences punishable under Sections 365/364 of the Indian Penal  
Code.

The prosecution case, as lodged by the informant,  
is that his son, namely, Saurav Kumar aged 17 years was roaming  
near Nawada Middle School and from that time he is not  
traceable. Informant had suspicion that his son was having love  
affairs with one Sapna Kumari, who is the daughter of the  
petitioner and since petitioner did not like his daughter to meet  
Saurav Kumar, the petitioner must have kidnapped or murdered  
his son.



It has been submitted by the learned counsel for the petitioner that he is innocent, has not committed any offence and has falsely been implicated in the aforesaid case only on ground of suspicion. He submits that the story is entirely false and concocted. He further submits that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and he undertakes to cooperate with the investigation and is ready to furnish any information regarding the traceless boy as and when he is informed about it.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and the undertaking, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 319/16.

This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to



the Court or to any police officer or tamper with the evidence and shall appear before the learned Court below as and when directed.

With these observations and directions, the application stands allowed.

**(Nilu Agrawal, J)**

Rajesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

