

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38713 of 2017

Arising Out of PS.Case No. -19 Year- 2016 Thana -PANDARAK District- PATNA

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Dinesh Mahto son of Shri Devendra mahto @ Devi Mahto, R/o village-
Pauni Hasanpur, P.S.- Lalganj, District- Vaishali..... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-08-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner wants to renew his prayer of pre-arrest bail, which was earlier rejected vide order dated 10.04.2017 passed in Cr. Misc. No. 49949 of 2016, on the ground that the statement of the victim Soni Devi was recorded under Section 164 Cr.P.C. vide annexure-3 wherein she has not stated regarding her kidnapping, the husband has snatched all her ornaments and ATM and thereafter, lodged this case, at the time of passing order dated 10.04.2017, the statement of the victim was not on the record which has been recorded on 17.05.2017 and as such in view of the statement of the victim the petitioner deserves sympathetic consideration.

Learned APP submits that in view of the statement of the



victim the petitioner must surrender and seek regular bail.

In the facts and circumstances stated above, the petitioner above named is directed to surrender before the court of learned Additional Chief Judicial Magistrate, Barh, Patna within a period of four weeks from the date of receipt/production of a copy of this order and then he shall be released on bail in connection with Pandarak P.S. Case No. 19 of 2016 considering the statement of the victim recorded under Section 164 Cr.P.C. on execution of the bail bonds to the satisfaction of the court below itself.

With the aforesaid direction, this criminal miscellaneous application is hereby disposed of.

(Jitendra Mohan Sharma, J)

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