

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39733 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -KHODABANDPUR District- BEGUSARAI

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Ram Sagar Mahton, Son of late Saryug Mahto Resident of Village-
Chaurahi, P.S.- Chhaurahi, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramsakha Mahton, Son of late Dhaniklal Mahto Resident of Village-
Chhaurahi, P.S. Chhaurahi (Khodabandpur), District- Begusarai

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Khodabandpur
(Chhaurahi O.P.) P.S. Case No. 38 of 2017 registered under
Sections 341, 323, 363A, 364A, 365, 367 and 120B/34 of the
Indian Penal Code.

The petitioner along with other three accused
persons are said to have kidnapped the nephew of the informant
forcibly on Bolero vehicle.

It is submitted by learned counsel for the petitioner
that the complaint has been lodged after an inordinate delay of ten
days. The victim in her statement recorded under Section 164 of



the Code of Criminal Procedure has not named the petitioner rather one Awadhesh alleging that the said Awadhesh has kidnapped him along with others and performed his marriage with his niece. Similarly situated co-accused, namely, Ram Narayan Mahto @ Bathu Mahto has already been enlarged on anticipatory bail by a co-ordinate bench of this court vide order dated 07.07.2017 passed in Cr. Misc. No. 29826 of 2017. The petitioner has been languishing in custody since 11.07.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate, Manjhaul at Begusarai in connection with Khodabandpur (Chhaurahi O.P.) P.S. Case No. 38 of 2017

(Prakash Chandra Jaiswal, J)

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