

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.2502 of 2017**

Arising Out of PS.Case No. -109 Year- 2016 Thana -AMNAUR District- SARAN

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Awadesh Mahato son of Sri Prabhu Mahato, R/o village- Basatpur Bangla,  
P.s.- Amnaur, District- Saran .... Petitioner

Versus

The State of Bihar ... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Basant Kumar Singh

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

ORAL ORDER

2      28-01-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Amnaur  
P.S. Case No. 109 of 2016 registered for the offence punishable  
under Section 366A/34 of the Indian Penal Code.

Allegedly, minor daughter of the informant and minor  
daughter of Abdul Rahman were kidnapped from Amnaur by the  
petitioner and co-accused Pankaj Mahto and during investigation  
the victim girls were recovered and they stated the names of the  
petitioner and co-accused regarding their hands in kidnapping.

Submission is of false implication and that the victim  
girls have changed their version in the statement recorded under  
Section 164 Cr.P.C. though they have went out of their own free  
will for the purpose of journey, the petitioner has not kidnapped  
any one for the purpose of marriage and as such the petitioner



deserves sympathetic consideration as he is suffering in custody since 03.07.2016 and nothing has been alleged that the petitioner committed any sexual harassment to the victims and they have been safely released.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the safe recovery of the victim girls and further considering the period of custody, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Amnaur P.S. Case No. 109 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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