

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29826 of 2017

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

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1. Ram Narayan Mahton @ Bathu Mahton, son of late Suro Mahto, resident of Village- Ijraha, P.S.- Chhaurahi, O.P. (Khodabandpur), District- Begusarai.
 2. Lal Bahadur Mahto, Son of Late Ram Lakhan Mahton, resident of Village- Goghana, P.S.- Hasanpur, District- Samastipur.

.... 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

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and learned Addl. Public Prosecutor for the State.

The petitioners apprehend their arrest in Khodabandpur (Chhaurahi O.P.) P.S. Case No. 38 of 2017 instituted for the offence under Sections-363(A), 364(A), 365, 367 & 120(B)/34 of the Indian Penal Code.

It is alleged in the written report that the nephew of the informant was kidnapped by the petitioner and other accused persons by a Bolero car. The victim boy has been recovered and his statement u/S 164 of the Cr.P.C. was recorded, in which, he has not levelled any specific allegation of overt act against the petitioner. There is specific allegation against Abdhesh who got marriage of his niece solemnized



with him and kept him for four months.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above in the event of their arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Khodabandpur (Chhaurahi O.P.) P.S. Case No. 38 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Manjhaul at Begusarai subject to conditions as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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