

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24246 of 2018

Arising Out of PS. Case No.-32 Year-2016 Thana- SONBERSA District- Sitamarhi

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Lalbabu Mahto S/o Late Lakshmi Maho, R/o Vill.- Madhiya, P.S.- Sonbarsa,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-04-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner had earlier moved for bail, which was rejected vide order dated 11.09.2017 passed in Cr. Misc. No. 34691 of 2017. Petitioner is languishing in judicial custody since 25.03.2017 in connection with Sonbarsa P.S. Case No. 32 of 2016 registered for the offence punishable under Sections 363 and 366A/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that petitioner's wife, Kanti Devi came and took away his 14 year old daughter, Nilam Kumari. It is alleged that the petitioner has also hand in the said abduction.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and it



is on suspicion that he has been made accused. He submits that First Information Report has been lodged after six days of the alleged occurrence and no plausible explanation has been given for such delay. He submits that he has been sufficiently punished and is languishing in judicial custody for more than one year.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case No. 32 of 2016, subject to the conditions that:

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every



date and failure to appear on two consecutive
dates without assigning any reason will entail
cancellation of his bail bonds.

(Nilu Agrawal, J.)

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