

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44882 of 2018

Arising Out of PS.Case No. -133 Year- 2015 Thana -RAMGARHWA District-
EASTCHAMPARAN (MOTIHARI)

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1. Umesh Mahto, S/o Jagdish Mahto,
2. Anita Devi D/o Jagdish Mahto,
3. Sharda Devi W/o Jagdish Mahto, All R/o Vill.- Piparpati, P.S.-
Ramgadhwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan RAthore

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Ramgadhwa
P.S. Case No. 133/2015, instituted for the offence punishable
under Section 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
the victim girl has given statement under Section 164 Cr.P.C.
wherein she has stated that she has voluntarily married with
Petitioner no. 1 Umesh Mahto. In her statement, she has stated her
age to be 21 years and the court below has assessed her age to be
20 years. Petitioner nos. 2 and 3 are sister and mother of Petitioner
no. 1.



Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Ramgadhwa P.S. Case No. 133/2015, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, subject to the conditions as laid down under Section 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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