

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62332 of 2017

Arising Out of PS.Case No. -126 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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Chandan Mahato @ Chandan Mahto son of Rudal Mahto Resident of
Village - Brahima, Police Station - Sidhwalia, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mishra, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-01-2018 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
22.09.2017 in connection with Sidhwalia P.S. Case No. 126 of
2017 registered for offences punishable under Section 366 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter, Lal Muni Devi has been kidnapped by the
petitioner while she was sleeping in her house in the night and
is traceless.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and the victim is a married woman, which has been stated by the independent witnesses of the village and was married to one Dhupnath Mahto and petitioner happens to be relative of her husband. It has further been submitted that from perusal of the case diary, it appears that earlier also victim had run away with the petitioner and that she has alleged no sexual assault by the petitioner in her statement under Section 164 of the Cr.P.C. As per medical report, her age has also been recorded to be 17-18 years. He submits that the First Information Report has been lodged after nine days of the alleged occurrence and no plausible explanation has been given, which falsifies the entire prosecution story.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Additional Chief Judicial



Magistrate-VI, Gopalganj in connection with Sidhwalia P.S.
Case No. 126 of 2017.

(Nilu Agrawal, J.)

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