

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59174 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- JHANJHARPUR District- Madhubani

Amit Mahto @ Amit Kumar Mahto, Son of Satya Narayan Mahto, Resident of Village- Raghunandanpur, P.S.- Jhanjharpur (Arariya Sangram), District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Jhanjharpur(Arariya Sangram) P.S. Case No. 66 of 2018** registered for the offence punishable under Sections 363, 365 and 366 of the Indian Penal Code.

Informant in his written complaint has alleged that his daughter had gone to attend the call of nature and when she did not return then he searched her and during course of search he learnt that the petitioner alongwith FIR named accused have kidnapped her minor daughter.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. The girl has not levelled any allegation of sexual assault against the



petitioner in her statement under Section 164 of the Cr.P.C. It has been further submitted that the matriculation certificate of the victim girl has been enclosed as Annexure-3 to this application in which her date of birth is 14.03.1998, as such she is major. Petitioner has got no criminal antecedent and is in custody since 25.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-1st, Jhanjharpur, Madhubani**, in connection with **Jhanjharpur(Arariya Sangram) P.S. Case No. 66 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

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