

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52322 of 2018

Arising Out of PS.Case No. -47 Year- 2018 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Santosh Mahto @ Santosh Kumar Mahto, S/o Ram Chandra Mahto,
2. Ram Pukar Mahto S/o Late Charitra Mahto, Both are R/o Vill.- Gopalpur,
Ram Krishnapur, Ward No. 5, P.S.- Sarai Ranjan, District- Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case registered under Sections 323/34, 354, 366A, 368, 370, 372, 504, 506 and 120B of the Indian Penal Code.

The prosecution case, in brief, is that the minor daughter of the informant was forcibly taken away by accused persons. It is further alleged that when the informant went to the accused persons to enquire about her daughter, she was abused and assaulted.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused in this case



due to mistake of fact. The statement of the victim was recorded u/S 164 Cr.P.C., in which, she did not make allegation of physical and sexual abuse against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Samastipur in connection with Sarairanjan P.S. Case No. 47 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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