

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43328 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- MAHUA District- Vaishali

Sanjeev Mahto @ Salim, son of Tun Tun Mahto, resident of village- Harpur Belwa, Police Station, Mahua, District, Vaishali

... .. Petitioner/s

Versus

- 1) The State Of Bihar
- 2) Yogendra Prasad, s/o late Raghunath Mahto, Village, Harpur Belwa, P.S. Mahua, Dist., Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
For the Opposite Party/s : Mr. Sri S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 11-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Mahua P.S. Case No.56 of 2018 registered for the offence punishable under Sections 366(A)/34 of the Indian Penal Code.

Informant has alleged that his minor daughter had gone to attend the call of nature in the morning but, thereafter, she did not return. It has been further alleged that in the evening the petitioner and some unidentified persons were seen roaming around his house and, as such, he has suspicion that the petitioner has kidnapped his daughter.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case only on the basis of suspicion. He was arrested on the same date and



he has nothing to do with the girl who has become traceless from the said date. He is a married person having two children. Petitioner has no criminal antecedent and he is in custody since 12.03.2018.

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 Chief Judicial Magistrate, Vaishali, Hazipur in connection with Mahua P.S. Case No.56 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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