

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24955 of 2018

Arising Out of PS.Case No. -274 Year- 2017 Thana -BARGANIA District- SITAMARHI

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1. Rajiv Mahto, S/o Aklu Mahto, resident of Village- Joriyahi, Ward No. 11, Post- Bel, P.S.- Bairgania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bairgina P.S.Case No.274 of 2017 , registered for offences punishable under Sections 363, 366A, 373 of the Indian Penal Code.

Allegation against the petitioner is that he has kidnapped the minor daughter of the informant.

Submission of the learned counsel for the petitioner is that the statement of the girl recorded under Section 164 Cr.P.C. totally disbelieved the prosecution story as she has stated that she had gone to Nepal to her *mausi* house on her own sweet-will.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Bairagania P.S.Case no.274 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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