

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12641 of 2018

Arising Out of PS.Case No. -352 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. Sudha Devi, W/o Devendra Mahto,
2. Sanjay Mahto, S/o Late Prabhu Mahto,
3. Suraj Mahto, S/o Sanjay Mahto,
All R/o Village- Lalgunia, P.S.- Patory, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Panchanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Patori P.S. Case No. 352 of 2017** instituted for the offence under Sections 363, 366 and 120B of the Indian Penal Code.

In the written report it is alleged that the daughter of the informant was kidnapped by these petitioners.

Learned counsel for the petitioners has submitted that victim girl has given her statement under Section 164 Cr. P.C. wherein she has stated that she was in love with Suraj Kumar (Petitioner No. 3) and she has performed court marriage with him. She is living with Suraj Mahto as wife and husband. The statement of victim girl recorded under Section 164 Cr. P.C. has been enclosed as Annexure-2 wherein she has stated her age as 19 years and the court has assessed her age to



be 17 years.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Patory P.S. Case No. 352 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Samastipur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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