

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70025 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- TARIYANI CHOWK District- Sheohar

1. KEWAL KUMAR @ KEWAL MAHTO, Son of Basudeo Mahto,
2. Basudeo Mahto, Son of Late Gena Mahto,
3. Basant Kumar @ Basan Mahto,
4. Pappu Kumar @ Pappu Mahto, Both Sons of Basudeo Mahto, All resident of Village- Sarwarpur, P.S.- Tariyani, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 363 and 366 (A)/34 of the Indian Penal Code.

The prosecution case as per the written report of the informant Rekha Devi, submitted to the S.H.O., Tariyani P.S. is to the effect that on 27.07.2018 at 7.00 P.M., the informant along with her minor daughter, Punni Kumari went to ease out on the main road. On the way, she saw that the petitioners along with other accused persons were waiting from before in a car. It



is further alleged that they kidnapped the daughter of the informant and took her to Sheohar for the purpose of marriage.

It is submitted by learned counsel for the petitioners that the victim got her statement recorded under Section 164 Cr.P.C. wherein the victim girl has got her age recorded as 19 years and the Court assessed the same as 18 years and she admits her marriage with co-accused Chotu Kumar. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that petitioners are named in the FIR and there is specific allegation against them.

Considering the fact that thrust of accusation is against the co-accused Chotu Kumar and in the statement recorded under Section 164 Cr.P.C., the petitioners are not named by the victim girl, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of the learned **CJM, Tariyani at Sheohar** in connection with **Tariyani P.S. Case No. 131 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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