

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5901 of 2019

Arising Out of PS. Case No.-190 Year-2017 Thana- UCHKAGAON District- Gopalganj

1. Motilal Mahato, Son of Late Jai Shree Mahato, Resident of Village - Aalapur, P.S. - Barharia, Distt.-Siwan.
2. Manish Mahato @ Baiju Kr. Mahato, Son of Motital Mahato, Resident of Village - Aalapur, P.S. - Barharia, District Siwan.
3. Raju Mahato, Son of Motilal Mahato Resident of Village - Aalapur, P.S. - Barharia, District Siwan.
4. Patul Devi Wife of Motilal Mahato, Resident of Village - Aalapur, P.S. - Barharia, District Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-02-2019 Heard both sides.

Petitioners apprehend their arrest in Uchakagaon P.S.
Case No.190 of 2017, registered under Sections 323, 324, 364, 366
and 504 of the Indian Penal Code.

The informant lodged the complaint case on the basis of
which the present FIR was lodged. The informant made allegations
against eight persons including the four petitioners that they
kidnapped his minor daughter.

Learned counsel for the petitioners submits that the
daughter of the informant was recovered and she made her
statement under Section 164 Cr.P.C. The victim disclosed that
Rekha took her to the house of her sister and Rekha and her sister



were not allowing her to come and they sent her to Assam. It is submitted that the victim did not make any allegation against the petitioners. The victim did not even name the petitioners in the statement recorded under Section 164 Cr.P.C. Rekha Devi, Dilip Mahto and Baby Devi have already been enlarged on anticipatory bail by order dated 25.04.2018 passed in Cr. Misc. No.16171 of 2018.

Having considered the facts that the victim in her statement recorded under Section 164 Cr.P.C. did not even name the petitioners and Rekha and her sister who were named by the victim have already been enlarged on anticipatory bail, the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail 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 Additional Chief Judicial Magistrate-IX, Gopalganj in connection with Uchakagaon P.S. Case No.190 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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