

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11635 of 2019

Arising Out of PS. Case No.-102 Year-2017 Thana- KINJAR District- Jehanabad

1. SANJAY MAHTO, aged about 35 years, Male, S/o Late Dinanath Manto, @ Dinanath Singh, Resident of Village- Halalpur, P.S.- Kinjar, Dist. Arwal
2. Raju Kumar @ Raju Mahto, aged about 26 years, Male, Son of Surendra Mahto, Resident of Village-Halalpur, P.S.- Kinjar, Dist. Arwal
3. Gabardhan Mali, aged about 38 years, Male, S/o Late Devi Bhagat, Resident of Village- Halalpur, P.S.- Kinjar , Dist- Arwal

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Nitya Nand Neeraj, Adv.

For the Opposite Party : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 08-07-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Kinjar P.S. Case No. 102 of 2017 for the offences alleged under Sections 363 and 365 of the Indian Penal Code.

The accusation is enticing away the minor daughter of the informant by Amrit Raj @ Chhotu with the help of his friend. It is also alleged that Amrit Raj @ Chhotu was also seen moving in fair of Laxmi Puja at Imbrahimpur on 21.10.2017.

The submission of the learned counsel for the petitioners is that petitioners are not named in the first information report. After one month of lodging of present case



by the informant, the re-statement of the informant was taken by the police as detailed in paragraph 32 of the case diary, in which he disclosed the names of petitioners and three others that they were seen catching hold his daughter where Amrit Raj @ Chhotu was present, except that nothing was collected by the investigating officer against the petitioners.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Kinjar P.S. Case No. 102 of 2017 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Arwal, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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