

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80754 of 2018

Arising Out of PS. Case No.-354 Year-2018 Thana- TEGHRHA District- Begusarai

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1. Rakesh Kumar @ Rakesh and Anr Son of Upendra Mahto Resident of Village - Daniyalpur Chakpahar ward No. 17, P.S.- Teghra, District- Begusarai
 2. Rohit Kumar @ Rohit Kr. Son of Pappu Mahto Resident of Village - Dargahpur, Goduna, Gachi tola Ward no. 9, P.S.- Bachhwara, District - Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Opposite Party/s : Mr.Sri Akbar Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 31-01-2019 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Teghra P.S. Case No. 354 of 2018 registered for the offence punishable under Sections 363, 364, 120B/34 of the Indian Penal Code.

Informant who is the mother of victim has stated that the marriage of her daughter was solemnized with petitioner in 2016 and she had gone to her matrimonial home and thereafter she became traceless and she suspects the hand of his husband (petitioner) and Rohit Kumar. She has alleged against petitioners Rakesh Kumar and Rohit Kumar of concealing her



daughter and even after much search she could not be found, as such present FIR was filed.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. The girl has been recovered and in her statement made under 164 Cr.P.C. she has stated that she was not happy with her married life and she was being abused and assaulted in her matrimonial home, as such with her own free will and volition she went with Phultus Kumar and she is living with him. Petitioners have no criminal antecedent and they are in custody since 18.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Teghra P.S. Case No. 354 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bonds.



(3) If the petitioners tampers 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.

(S. Kumar, J)

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