

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29037 of 2019

Arising Out of PS. Case No.-153 Year-2017 Thana- SANGRAMPUR District- East
Champaran

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1. Prabhu Mahto Son of Mansi Mahto Resident of Village - Laukariya, P.s.-
Harisidhi , Distt.- East Champaran.
 2. Hiralal Mahto Son of late Etwar Mahto Resident of Village - Mushari
Bariganiya, P.s.- Sangrampur , Distt.- East Champaran.
 3. Nanchu Mahto Son of Late Etwar Mahto Resident of Village - Mushari
Bariganiya, P.s.- Sangrampur , Distt.- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Amresh, Advocate

For the Opposite Party : Mr.Pancha Nand Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-07-2019 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 363 and 366A of the
Indian Penal Code.

Informant alleges that his minor daughter aged 15
years was abducted by the petitioners and other accused persons
with a view to marry her.

Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in this case as the girl,
in her Section 164 Cr.P.C. statement has not made any specific
allegation against them rather she has alleged that she was
kidnapped by accused Nawal Mahto with the assistance given
by these petitioners. Police in course of investigation has not
found any incriminating material to connect the petitioners with
the offence. It is further stated that the FIR has been lodged after



seven days of alleged occurrence without there being explanation for the delay. Petitioners have got no criminal antecedent and similarly situated co-accused Savita Devi and Dewanti Devi have already been allowed bail by a bench of this Court vide order dated 4.2.2019, passed in Cr.Mis.No. 5862 of 2019.

Considering the facts of the case, let the petitioners above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released 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 Chief Judicial Magistrate-V, East Champaran at Motihari in Sangrampur Police Station Case No. 153 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioners.

(Prabhat Kumar Singh, J)

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