

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30338 of 2019

Arising Out of PS. Case No.-251 Year-2017 Thana- BIKRAM District- Patna

1. Manti Devi @ Malti Devi Wife of Veyas Mahto Resident of Village - Amrudia Tola, P.S.- Bihta, District- Patna
2. Veyas Mahato Son of Late Rupan Mahato Resident of Village - Amrudia Tola, P.S.- Bihta, District- Patna
3. Tuntun Verma Son of Veyas Mahato Resident of Village - Amrudia Tola, P.S.- Bihta, District- Patna
4. Dipu Kumar Son of Veyas Mahato Resident of Village - Amrudia Tola, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 366A of the Indian Penal Code registered in connection with Bikram P.S. Case No. 251 of 2017.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be variously related to the co-accused Raushan Kumar. The victim girl in her statement recorded under Section 164 Cr.P.C., has categorically stated that she had voluntarily accompanied co-accused Raushan Kumar and solemnised marriage with him. The victim girl has also stated her age to be of 16½ years. It is therefore, submitted that the ingredients of Section 366A of IPC are not satisfied. Similarly situated co-accused Tej Narayan Mahto @ Dhora Mahto has been granted anticipatory bail by this Court in Cr. Misc. No. 44164 of 2019. The petitioners claim clean antecedents.



4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM IV, Danapur, in connection with Bikram P.S. Case No. 251 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner no.1 shall be well represented and petitioner nos. 2, 3 and 4 shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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