

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35370 of 2019**

Arising Out of PS. Case No.-302 Year-2018 Thana- AURAI District- Muzaffarpur

SHYAM MAHTO @ SHYAM KUMAR MAHTO S/o Vindeshwar Mahto R/o
village- Rajkand Koriyahi, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 17-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Aurai P.S.Case no.302/18 dated 29.12.2018,G.R.No.7895 of
2018, registered for offences punishable under Sections 363,
364, 379 and 34 of the Indian Penal Code.

Prosecution story is that the petitioner has taken loan of
Rs.25,000/- and when she demanded the amount he has taken
her to Sitamarhi with a promise that he will give the amount at
his Sarhu's hosue. It is also alleged that thereafter the
informant gave intoxicated powder to her due to which she
became unconscious and when she regain consciousness she
found her in a train . It is also her case that she jumped from
the train and a tempo driver informed to her family members



about the same and thereafter her family members came and take her to Mughalsarai. There is also allegation that the petitioner wanted to sale her .

Submission of the learned counsel for the petitioner is that the whole allegation appears to be unbelievable as for taking Rs.25,000/- she will go to Sitamarhi and further even though story shows that she jumped from the train at Mughalsarai but no step was taken for lodging the FIR at Mughalsarai or at any other places and lastly the present case has been lodged, as such out and out it is a case of transaction of money between the parties and in order to put pressure the present case has been lodged.

Heard learned A.P.P., who has opposed the prayer for bail on the ground that witnesses have supported the prosecution case during the investigaiton..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-cum-



Sub Judge 14th, Muzaffarpur in connection with Aurai P.S.Case
No.302 of 2018 dated 29.12.2018,G.R.No.7895 of 2018, subject
to conditions as laid down under Section 438 (2) of the Code of
Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

