

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44184 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- DALSINGHSARAI District- Samastipur

1. DEV NARAYAN MAHTO Son of Late Dhanik Lal Mahto Resident of Village-Mukhtiarapur Salakhani, P.S.-Dalasing Sarai, District-Samastipur.
2. Ram Udesb Mahto @ Ramudesh Kumar Son of Dev Narayan Mahto Resident of Village-Mukhtiarapur Salakhani, P.S.-Dalasing Sarai, District-Samastipur.
3. Shyam Udesb Mahto @ Chhotu Son of Dev Narayan Mahto Resident of Village-Mukhtiarapur Salakhani, P.S.-Dalasing Sarai, District-Samastipur.
4. Hem Narayan Mahto Son of Late Dhanik Lal Mahto Resident of Village-Mukhtiarapur Salakhani, P.S.-Dalasing Sarai, District-Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dalasing Sarai P.S. Case No. 12 of 2019 for the offence punishable under Sections 363 and 365/34 of the Indian Penal Code.

My attention has been drawn to the statement of the victim, recorded under Section 164 of the Cr.P.C., to submit that allegation of kidnapping is totally incorrect. The case of the prosecution, as disclosed in the First Information Report, stands falsified.



Considering the statement of the victim, recorded under Section 164 of the Cr.P.C., this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, 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 learned A.C.J.M., Dalasing Sarai (Samastipur), in Dalsing Sarai P.S. Case No. 12 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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