

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42728 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- MALI District- Aurangabad

1. Yogendra Mahto @Yogendra Mehta, aged about 27 years, Male, Son of Bharat Mehta, Resident of Village-Nadiai, Police Station-Japala, District-Palamu, State-Jharkhand.
2. Nagendra Mahto @ Nagendra Mehta, aged about 20 years Male, Son of Bharat Mehta, Resident of Village-Nadiai, Police Station-Japala, District-Palamu, State-Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Adv.
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Mali P.S. Case No. 29 of 2019 registered under sections 365, 34 of the IPC.

The allegation against the petitioners, as per first information, is that the petitioners are brother in law of the victim and the informant who is the brother of the victim alleged that the victim has been kidnapped by his brothers in law i.e. the petitioners because the victim had refused to keep the sister of petitioners as his wife.

Learned counsel appearing for the petitioners submits



that the petitioners have falsely been implicated in this case on the basis of suspicion only. Learned counsel further submits that no evidence has come against the petitioners and the case diary does not corroborate with the present offence.

On the other hand, learned counsel for the State referring to the case diary submits that the victim Guddu Kumar was traced by the police and was recovered from Odisha and his statement under Section 164 of Cr.P.C has been recorded in which he has stated that he had gone to Odisha on his free will and residing at Madra in Odisha.

Having regard to the submission made by the parties and taking into consideration the fact that the victim has not stated anything against the petitioners in his statement under Section 164 Cr.P.C, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad in connection with Mali P.S. Case No. 29 of 2019,



subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Anil Kumar Sinha, J)

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