

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51458 of 2019

Arising Out of PS. Case No.-27 Year-2016 Thana- PUSA District- Samastipur

1. Jitu Mahto, Son of Rajendra Mahto Resident of Village - Saidpur, P.S.- Chakmehshi, District - Samastipur.
2. Rajesh Kumar @ Rajesh Sahni @ Rajesh Kumar Sahni @ Jokhan Son of Kishori Sahni Resident of Village - Saidpur, P.S.- Chakmehshi, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Pusa P.S. Case no. 27 of 2016, registered under Sections 341, 323, 384, 366A, 376, 511 and 504/34 of the Indian Penal Code.

The accusation is of kidnapping of daughter of informant in course of her returning with her brother from the market by the four persons named in the F.I.R./Compliant petition, including the petitioners, and to outrage her modesty.

Learned counsel for the petitioners submits that on the basis of Complaint Petition No. 1126 of 2013 filed by the



complainant Shivchandra Sahani, the present case was lodged on 9.03.2016 due to grudge and land dispute. Moreover, the dispute in between the petitioner and O.P. No.2 has been settled. Further submission is that co-accused Rajendra Mahto and Charmendra Mahto @ Shukla have already allowed privilege of pre-arrest bail by a co-ordinate Bench of this Court on 10.05.2019 passed in Criminal Miscellaneous No. 31277 of 2019. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur in connection with Pusa P.S. Case No. 27 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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