

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4063 of 2019

Arising Out of PS. Case No.-188 Year-2018 Thana- RANIYATALAB District- Patna

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1. Mintu Mahto son of Sudama Mahto
 2. Randhir Mahto son of Mahesh Mahto
- Both are resident of Village- Kanpa, P.S.- Rani Talab, District- Patna.
- Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Rani Talab P.S. Case No. 188 of 2018 registered under Sections 364/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the present case is an outcome of a land dispute as the husband of the informant has performed two marriages and there are certain disputes with respect to the properties. It is submitted that the whole allegation of kidnapping, the manner in which it has been stated in 164 Cr.P.C. statement of the victim girl would not inspire confidence.

It is further pointed out that the learned coordinate Bench of this court dealing with the anticipatory bail application of the co-accused have been pleased to grant privilege of anticipatory bail to them considering the nature of the allegations and the circumstances.

No one appears on behalf of the State to oppose the prayer for anticipatory bail of the petitioner.



In the facts and circumstances stated hereinabove and finding that the co-accused have already been granted privilege of anticipatory bail, this court find no reason to deny the same privilege to the petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – 1st, Danapur, District – Patna, in connection with Rani Talab P.S. Case No. 188/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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