

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69264 of 2019

Arising Out of PS. Case No.-168 Year-2018 Thana- DHANAHA District- West Champaran

1. MAMTA DEVI Wife of Santosh Yadav Resident of Village-Nawka Tola, Baghawa, P.S.-Dhanaha, District-West Champaran, Bihar.
2. Sampati Devi @ Sampatiya Devi Wife of Late Raj Kumar Yadav Resident of Village-Nawka Tola, Baghawa, P.S.-Dhanaha, District-West Champaran, Bihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Rajnish Ranjan
For the Opposite Party	:	Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with
Dhanaha P.S. Case No. 168 of 2018 instituted for the offence
under Section(s) 363,366,366A and 120B/34 of the Indian
Penal Code.

It is submitted by the petitioner's counsel that the
prosecution case in the First Information Report is not supported
by the statement of the victim which has been recorded U/s 164
Cr.P.C., which has been annexed as Annexure-2 to bail petition,
wherein, the victim girl has specifically stated that she had not
been allured by anyone and that she had gone on her own.



The petitioners have no criminal antecedents prior to the instant case, as per averments made in para 3 of the petition.

Considering the aforesaid submissions and the fact that other co-accused persons of the instant case have already been allowed the privilege of anticipatory bail by a Co-ordinate Bench of this Court under order dated 13.09.2019 passed in Cr. Misc. No. 57581 of 2019.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners before the court below, named above, within four (04) weeks from today, they shall be released on anticipatory 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 **Additional Chief Judicial Magistrate 1st, Bagaha, West Champaran**, in connection with **Dhanaha P.S. Case No. 168 of 2018**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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