

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29844 of 2020

Arising Out of PS. Case No.-889 Year-2019 Thana- TURKAULIYA District- East
Champaran

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CHANDAN MAHTO Son of Kameshwar Mahto Resident of Village - Fulwar
Gamariya, P.S.- Banjaria (Turkauliya), District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mrs. Sahil Begum.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-11-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case for the offence initially
registered under Sections 163, 365/34 of the Indian Penal Code
and later on, Sections-364, 302, 201, 120B of the Indian Penal
Code was also added.



Allegedly, the informant's minor daughter aged about 5 years was kidnapped. It was suspected by the informant that in the backdrop of earlier incident, the accused persons have kidnapped his minor daughter.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 15-12-2019. The name of the petitioner has transpired in the present case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Subsequently, the informant has filed a petition in which, he retracted from his earlier statement made in the FIR and stated that the petitioner has been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in



connection with Turkauliya (Banjariya) P.S. Case No. 889 of
2019.

(Sudhir Singh, J)

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