

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32513 of 2020

Arising Out of PS. Case No.-208 Year-2019 Thana- KHODAWANDPUR District- Begusarai

RAM KALESH MAHTO @ AJAY MAHTO @ AJAY Son of Ram Prakash
Mahto Resident of Village - Malipur (Sundarwan Chowk,), Ward no.10, P.S.-
Garhpura, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr. Narsingh Tanti, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2020 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 defects, as pointed out by the Office, within a period of four
weeks from the date of restoration of normalcy.

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

The petitioner seeks bail in a case instituted for the
offences under Section 366(A) and 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons
forcibly abducted the minor daughter of the informant.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 4.11.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The F.I.R. has been instituted after 30 days of the occurrence. The delay has not been explained. On recovery, the statement of the victim has been recorded under Section 161 of the Cr.P.C. in which she has admitted about love affairs with the petitioner. Subsequently, in her statement made under section 164 Cr.P.C., she has retracted from her earlier statement made under section 161 Cr.P.C. There is vast contradiction in her two statements.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 208 of 2019.

(Sudhir Singh, J)

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