

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11910 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- SARAIYA District- Muzaffarpur

1. Lagan Mahto Son of Late Raghuvar Mahto Resident of Village- Khaira, P.S.- Saraiya (Jaitpur O.P.), District- Muzaffarpur.
2. Bhaghmati Devi Wife of Surendra Mahto Resident of Village- Khaira, P.S.- Saraiya (Jaitpur O.P.), District- Muzaffarpur.
3. Lilam Devi Wife of Virendra Mahto Resident of Village- Khaira, P.S.- Saraiya (Jaitpur O.P.), District- Muzaffarpur.
4. Priyanka Kumari Daughter of Rajendra Mahto Resident of Village- Khaira, P.S.- Saraiya (Jaitpur O.P.), District- Muzaffarpur.
5. Rekha Devi Wife of Rajesh Mahto Resident of Village- Khaira, P.S.- Saraiya (Jaitpur O.P.), District- Muzaffarpur.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Nandan
For the Opposite Party/s : Mrs. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-12-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Learned counsel for the petitioners filed a supplementary affidavit in Court stating therein that due to



typographical mistake the name of petitioner no.1 has been typed as Lalan Mahto instead of Lagan Mahto.

Let it be so corrected and read accordingly.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 366A/34 of the Indian Penal Code.

While the informant was sleeping in her house with her family members, the petitioners along with other co-accused are said to have kidnapped her daughter with bad intention.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. As a matter of fact, the informant's daughter has love affair with the co-accused Manoj Kumar and she fled away with him. There is no involvement of any accused in this case except the said Manoj Kumar. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. 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 six weeks from today, on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Saraiya (Jaitpur O.P) P.S. Case No.108 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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