

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4094 of 2022

Arising Out of PS. Case No.-25 Year-2021 Thana- BARARI District- Katihar

1. RAMASHIS MAHTO Son of Late Anup Mahto Resident of Village - Barari Pokhar (Tola), P.S. - Barari, District - Katihar.
2. Chhotu Kumar Son of Uday Narayan Mahto Resident of Village - Barari Pokhar (Tola), P.S. - Barari, District - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barari P.S. Case no. 25 of 2021 instituted for the offence under Sections 366, 366A/34 of the Indian Penal Code.

As per allegation in the FIR, while minor daughter aged about 14 years of the informant was at home, several accused persons including the petitioners enticed away her for marriage purpose on motorcycle. It is further alleged that they have also taken away silver payal and gold nose ring from her house.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed



no offence. FIR has been lodged after a delay of three days without any plausible reason. There was love affair between co-accused Sintu Kumar, who is nephew of petitioner no. 1 and daughter of the informant. Statement of the victim girl has got recorded under Section 164 Cr.P.C., wherein she has accepted that out of her own sweet will, she has performed marriage with co-accused Sintu Kumar. She has not raised any finger against the petitioners for any offence. Specific allegation is against Sintu Kumar, who has already been granted bail by the learned lower court vide order dated 20.3.2021 passed in B.P. No. 163 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Barari P.S. Case no. 25 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM- III, Katihar subject to the



conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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