

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26745 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- BABUBARHI District- Madhubani

1. BINDESHWAR MAHTO S/o Harichan Mahto R/o village- Sonpatahi, Tole- Chhajna, P.S.- Babuarhi, District- Madhubani
2. Hareram Singh S/o Ratan Mahto @ Rankaran Mahto R/o village- Bela Panchayat Bela, P.S.- Babubarhi, District- Madhubani
3. Shatrughan Mahto S/o Bhola Mahto R/o village- Parsa, Tole- Chakraghatts, P.S.- Babuarhi, District- Madhubani
4. Bhola Mahto S/o Late Fakir Mahto R/o village- Parsa, Tole- Chakraghatts, P.S.- Babuarhi, District- Madhubani
5. Bechani Devi W/o Bhola Mahto R/o village- Parsa, Tole- Chakraghatts, P.S.- Babuarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Babubarhi P.S. Case no. 22 of 2022 instituted for the offence punishable under Sections 341, 323, 363, 366A, 504/34 of the Indian Penal Code.

As per allegation in the FIR, on 26.01.2022 at about 10:00 in night informant's daughter went outside the house for



natural call. After some time when she did not return, then informant started to search and in course, came to know that accused Prabhash Kumar Singh has kidnapped her. Informant went to the house of Bhola Mahto to inform him then Bhola Mahto and Bechani Devi abused and assaulted him.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. There is matter of love affair of the victim girl with co-accused Prabhash Kumar with whom she has eloped and solemnized marriage. Petitioners are family members of main accused and are not in knowledge about their affair. Petitioners are living separate with their mess and business from the main accused Prabhash Kumar.

Learned counsel for the informant and learned APP appearing for the State have opposed the prayer of Bail and submitted that victim girl has not recovered as yet.

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 their arrest or surrender in connection with Babubarhi P.S. Case no. 22 of



2022, they 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-1st, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

