

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80253 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- GAUNAHA District- West Champaran

1. Kamal Mahto Son Of Late Banu Mahto @ Bandhu Mahto R/O Village- Mandiha, P.S.- Gaunaha, District- West Champaran
2. Bhola Mahto @ Umesh Kumar Kamal Mahto R/O Village- Mandiha, P.S.- Gaunaha, District- West Champaran
3. Bhutahi Devi Wife Of Kamal Mahto R/O Village- Mandiha, P.S.- Gaunaha, District- West Champaran
4. Bharat Mahto Son Of Late Puran Mahto R/O Village- Manguraha, P.S.- Gaunaha, District- West Champaran
5. Nilam Devi Wife Of Bharat Mahto R/O Village- Manguraha, P.S.- Gaunaha, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party : Mr.Nirmal Kumar Sinha, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 366A/34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, co-accused Narendra Mahto in connivance with these petitioners and other accused persons kidnapped 14 years old daughter of the informant.

4. It is submitted on behalf of the petitioners that the victim in her 164 Cr.P.C. statement has not supported the



prosecution case. She has stated that she was in love with said co-accused Narendra Mahto and at her own sweet will she left her house. Petitioners happen to be family members of co-accused Narendra Mahto.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VII cum Special Judge, POCSO Act, Bettiah, West Champaran in Gaunaha Police Station Case No. 60 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

