

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85639 of 2024

Arising Out of PS. Case No.-196 Year-2024 Thana- BANIAPUR District- Saran

1. Akhilesh Mahto Son of Suresh Mahto Resident of Village and P.O. - Rajdhani, P.S.- Taraiya, District- Saran.
2. Kiran Devi Wife of Akhilesh Mahto Resident of Village and P.O. - Rajdhani, P.S.- Taraiya, District- Saran.
3. Laxmi Devi Wife of Munna Mahto Resident of Village - Near Maiya Sthan, Siswa Rasulpur, P.S. - Town, District - Saran
4. Sharda Devi Wife of Suresh Mahto Resident of Village and P.O. - Rajdhani, P.S.- Taraiya, District- Saran.
5. Madan Mahto Son of Tulai Mahto Resident of Village and P.O. - Rajdhani, P.S.- Taraiya, District- Saran.
6. Suresh Mahto Son of Tulai Mahto Resident of Village - H. No.- 3717/2, Samaypur Road, Rajeev Colony, Ballabgarh, Faridabad, P.S. - Ballabgarh, District - Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Basant Kumar singh, Adv
		Mr. Vishesh Kumar Singh, Adv
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioners and

Mr. Lakshmi Kant Sharma, learned APP for the State.

2. The instant application for anticipatory bail have been filed by the petitioners apprehending their arrest in connection with Baniyapur P.S. Case No. 196/2024, registered for the offence under Section 366(A) of Indian Penal Code.

3. The case of the prosecution is that one Kamlesh Mahto has kidnapped the minor daughter of the informant. It is



further alleged that these petitioners were the family members of the Mahto. They were also in the connivance of the Kamlesh Mahto.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has committed no offence. They have been falsely been implicated in this case. Learned counsel of the petitioner has submitted that the daughter of the informant was in relation with Kamlesh Mahto and she has gone to Uttarkhand where Kamlesh Mahto work when the came to know about the case they have returned and that Kamlesh Mahto is still under custody. From the perusal of the FIR, it is clear that main thrust of allegation is against Kamlesh Mahto. Petitioners are only family his members and there is no specific allegation against these petitioners.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. 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 petitioner 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 wit Baniyapur P.S. Case No. 196/2024,



they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) on each of them with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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