

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1726 of 2024

Arising Out of PS. Case No.-716 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. Pinki Devi W/O Rudal Mahato R/O Mohalla- Motijheel, Pandey Gali, P.S-
Town, Distt.- Muzaffarpur.
 2. Rudal Mahato S/O Musafir Mahato R/O Mohalla- Motijheel, Pandey Gali,
P.S- Town, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr. Raju Kumar, learned counsel for the

petitioners as well as Mr. Ahmad Ali, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Muzaffarpur Town P.S. Case No. 716 of 2023,
F.I.R. dated 06.09.2023 for the offences punishable under
Sections 363 and 366A of the Indian Penal Code.

3. According to prosecution case, these petitioners
along with other accused persons have abducted the daughter of
the informant.

4. Learned counsel for the petitioners submits that
petitioners are innocent and they have falsely been implicated in



the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and in fact the petitioners are father and mother of the co-accused, namely, Avinash Kumar Patel and petitioners have no concern at all with the alleged occurrence. He further submits that earlier the informant has filed Town P.S. Case No. 951 of 2021 for the same set of allegation against these petitioners and after that the petitioners are living separately from their son and he has no concern with him.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that the petitioners carries two criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur P.S. Case No. 716 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

- i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.
- ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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