

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17094 of 2015

Arising Out of PS.Case No. -172 Year- 2013 Thana -PARIHAR District- SITAMARHI

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Suraj Kumar @ Kanhaiya Kumar, son of Sushil Mandal, resident of village –
Shahargama, P.S. – Parihar, District – Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2. 08-06-2015

It is surprising that on the facts as noted by
the learned Sessions Judge, he has failed to granted
privilege of bail in anticipation of arrest to the petitioner.

The petitioner apprehends his arrest in
relation to Parihar P.S. Case No. 172 of 2013 registered
under Section 363, 364, 366(A)/34 of the Indian Penal
Code.

The order of learned Sessions Judge itself
notes that victim girl has not been recovered, but in the
same order he notes that victim girl has appeared in the
court and stated that she has married with this petitioner
and out of her own free-will she is living with him and
would like to stay with him. Ordinarily, this should have
been enough to grant bail in anticipation of arrest to the
petitioner, but repeating that the victim girl has not been
recovered and the victim girl appears as minor, he

refused the prayer.

Be that as it may, in the event of his arrest/surrender before the court below within four weeks, let the petitioner, namely, Suraj Kumar @ Kanhaiya Kumar, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi, in connection with Parihar P.S. Case No. 172 of 2013, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajeev/-

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