

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47900 of 2016

Arising Out of PS.Case No. -75 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Himanshu Sah, Son of Ashok Sah, Resident of village Jafrabad, P.S
Desri, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 07-12-2016 Heard Mr. Ajit Kumar Singh for the petitioner and the

APP for the State.

Petitioner prays for anticipatory bail in Desri P.S. Case
No. 75 of 2016 registered under sections 366(A), 365/34 of the
Indian Penal Code.

16 years old daughter of the informant was found
traceless. The informant lodged the case alleging that the
petitioner had earlier teased her and his family members had also
threatened the informant. The victim girl, on retrieval, made
statement under Section 164 Cr.P.C. (Annexure-2) wherein the
learned Magistrate has assessed her age as 19 years. Mr. Singh
read out the entire statement of the victim and submits that she has
not alleged any role to the petitioner inasmuch as she has not even
stated about her kidnapping or abduction.



Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in Desri P.S. Case No. 75 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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