

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38135 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -PAUTHU District- AURANGABAD

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Kundan Sharma @ Kundan Kumar, son of Rajaram Sharma, resident of
village Beri, P.S. Pauthu, Distt. Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 23-08-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Pouthu P.S.
- Case No. 33 of 2017 instituted for the offence under Sections
366(A), 120(B)/34 of the Indian Penal Code and Section 66(A) of
Information Technology (Amendment) Act, 2008.
- In the written report it is alleged that minor daughter
of the informant has been kidnapped by this petitioner and other
named accused persons.
- The victim girl on her recovery has given statement
under Section 164 Cr. P.C. (Annexure-2) wherein she has stated
that she had voluntarily gone with Mukesh Kewat and lived with
him in Gaya for one month. She has not taken the name of this
petitioner in her statement recorded under Section 164 Cr. P.C.
- It is mentioned in paragraph-3 of the bail petition that



petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Pouthu P.S. Case No. 33 of 2017, he shall 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, Aurangabad, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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