

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40377 of 2017

Arising Out of PS.Case No. -465 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Pappu Yadav, Son of Late Ramsewak Yadav,
 2. Rekha Devi, Wife of Pappu Yadav, Both are resident of Village- Murli,
Police Station- Beldaur, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Khagaria
(Muffasil) P.S. Case No. 465 of 2017 instituted for the offence
under Sections 366A/34 of the Indian Penal Code.

It has been submitted that victim girl on her recovery
has given statement under Section 164 Cr. P.C. wherein she has
not leveled any allegation of overt act against these petitioners.
These petitioners are not even named in the written report. The
victim girl in her statement under Section 164 Cr. P.C. has stated
that one Sonu had taken her to different places. These petitioners
are parents of Sonu.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Khagaria (Muffasil) P.S. Case No. 465 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, 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) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

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(Sanjay Priya, J)

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