

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36841 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -KARJA District- MUZAFFARPUR

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1. Abhishek Kumar, son of Pramod Sahni, resident of village -
Akhtiyarpur, P.S. - Karja, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-08-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Karja P.S.
Case No.26 of 2017 instituted for the offence under Section(s)
366-A/34 Indian Penal Code.

It has been submitted that the victim girl has been
recovered and her statement under Section 164 Cr. P.C. has been
recorded, wherein, she has not levelled any specific overt act
against this petitioner.

In the written report, it is alleged that the daughter of
the informant has been kidnapped by this petitioner and other
accused persons.

From the statement of the victim girl recorded under
Section 164 Cr. P.C. (Annexure-2), it appears that the victim girl



out of three boys has identified this petitioner because he was her villager. She has further stated that Petitioner attempted to do illegal act with her, but could not succeed.

Counsel for the petitioner has submitted that the occurrence is alleged to have taken place on 30.01.2017, whereas, the First Information Report was lodged after 27 days on 26.07.2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Karja P.S. Case No.26 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 the Judicial Magistrate, 1st class, (West), Muzaffarpur, 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.

(Sanjay Priya, J)

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