

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45193 of 2017

Arising Out of PS.Case No. -228 Year- 2017
Thana -TAJPUR District- SAMASTIPUR

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Anil Singh @ Rajeev Kumar Singh S/o Late Yugeshwar Singh @ Late Jago Singh, resident of Village- Tamka (Kamrain), P.S.- Bibhutipur, District- Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate

For the Opposite Party : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for offence under sections 366/34 of the IPC. Allegation has been made by the brother of the victim that his sister Anuradha Kumari, aged about 17 years, has been enticed away by the accused persons including the petitioner.

Counsel for the petitioner submits that the victim, in fact, on her own volition, had eloped with his younger brother Naveen Singh and they have also solemnized marriage. 164 Cr.P.C. statement of the victim has also been recorded on 3.8.2017, contained in Annexure 2, from perusal of which it appears that the girl on her own sweet will left the house. Petitioner is in custody since 1.8.2017 and prior to the instant case, no case is pending against him.

. In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as mentioned above, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of Additional Sessions Judge 1, Samastipur in GR No. 2168 of 2017, Tajpur Police Station Case No. 228 of 2017, on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The affidavit shall clearly state that the petitioner is not an accused in any other case, and if he is, he shall not be released on bail.

(c) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(d) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(e) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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