

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13112 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -HAJIPUR SADAR District- VAISHALI
(HAJIPUR)

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Chandan Kumar, son of Late Ashok Sharma, Resident of Village- Dighi
Khurd, P.S.- Sadar Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Hajipur Sadar P.S.

Case No. 6 of 2017 instituted for the offence under Section 355A/34 of
the Indian Penal Code.

As per written report there is specific allegation against
co-accused Rajesh Kumar of giving threat to kidnap minor daughter of
the informant. Petitioner is alleged to be the Mousa of Rajesh Kumar
who used to visit the house of the petitioner.

Case diary has been received.

The learned A.P.P. has submitted that there is no
allegation of any specific overt act against the petitioner.

In the written report also there is no allegation of any
specific overt act against the petitioner. It is mentioned in paragraph-3
of the bail petition that petitioner has no criminal antecedent.



The counsel for the opposite party No. 2 has opposed the prayer for anticipatory bail and stated that the victim girl is still traceless.

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 Hajipur Sadar P.S. Case No. 6 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 Chief Judicial Magistrate, Hajipur, 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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