

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31693 of 2017

Arising Out of PS.Case No. -812 Year- 2016 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Bittu Ram, son of Nand Kumar, resident of Village- Mishrwalia, P.S.-
Buxar (Muffasil), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nisa Kumari, D/o Awadhesh Paswan, R/o Village- Chilhar, P.S.- Itarhi,
District- Buxar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Complaint Case
No. 812-C of 2016 instituted for the offence under Sections 366(A),
368, 376 and 511 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there
was love affairs between the informant and this petitioner. The
informant has not levelled any allegation of specific overt act against
the petitioner.

In the complaint petition it is alleged that complainant was
taken away by this petitioner and other accused persons and they were
given pressure to perform marriage with Bittu Kumar.

The Solemn Affirmation of the victim girl has been
enclosed with the complaint petition in which she has not levelled any



allegation of committing illegal act with her. The court below after enquiry has found prima facie case for the offence under Section 366 and 368 of the Indian Penal Code.

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 Complaint Case No. 812-C of 2016, 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 Additional Chief Judicial Magistrate-Vth, Buxar, 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.

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(Sanjay Priya, J)

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