

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26597 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -NANHPUR District- SITAMARHI

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1. NIRANJAN KUMAR @ DEVENDRA RAI, son of Late Ram Hriday
Rai, R/o Village- Sater, Bhim Tol, P.S.- Nanpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh, APP
Mr. Birendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 07-07-2017

Heard learned counsel for the Petitioner and the
State as well counsel for the informant.

The Petitioner apprehends his arrest in Nanpur P.S.
Case No.47 of 2017 instituted for the offence under Section(s)
366, 366-A, 376, 313 Indian Penal Code and Section 8 of the
POCSO Act.

It has been submitted on behalf of the petitioner that
entire allegation is against son of the petitioner, namely, Neeraj
Singh, who has performed marriage with the informant and also
established physical relationship with her.

Counsel for the petitioner has drawn attention to
Annexure-2, which is the bond paper signed by both informant
and Neeraj Kumar, son of the petitioner, stating therein that they
have married voluntarily. Petitioner is the father of Neeraj
Kumar.



From the Complaint Petition, which was sent to P.S. under Section 156(3) Cr. P. C., it appears that there is general and omnibus allegation against the petitioner that he performed marriage of his son, Neeraj Kumar, with the informant.

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 Nanpur P.S. Case No.47 of 2017, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Pupari at Sitamarhi, 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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