

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29856 of 2017

Arising Out of PS.Case No. -217 Year- 2016 Thana -TEKARI District- GAYA

- =====
1. Birjan Thakur, son of late Rameshwar Thakur, resident of village- Jaitiya, P.S.- Konch, District- Gaya,
 2. Vikas Thakur @ Vikash Kumar, son of Binod Thakur, resident of village- Usari, Police Station- Tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 11-07-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Tekari P.S. Case No.217 of 2016 instituted for the offence under Section(s) 366-A, 120-B Indian Penal Code.

As per written report, co-accused, Nagendra Thakur, kidnapped the daughter of the informant along with other accused as named in the written report.

The victim girl on her recovery gave statement under Section 164 Cr. P.C., wherein, she has levelled specific allegation of committing illegal act with her against Nagendra Thakur.

Petitioner No.1 is father and petitioner No.2 is cousin brother of co-accused-Nagendra Thakur. There is no



allegation of any specific overt against the petitioners in the written report as well as in the statement recorded under Section 164 Cr. P. C.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Tekari P.S. Case No.217 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, 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) petitioners 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 petitioners and (3) if petitioners 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 petitioners.

(Sanjay Priya, J)

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