

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42123 of 2017

Arising Out of PS.Case No. -219 Year- 2012 Thana -KHAGARIA District- KHAGARIA

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Krishna Mahton, Son of Shibu Mahton, R/o Village- Sanholi, P.S.-
Chitragupt Nagar, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Khagaria
(Chitragupta Nagar) P.S. Case No. 219 of 2012 instituted for the
offence under Sections 366A/34 of the Indian Penal Code.

It has been submitted that victim girl in her statement
under Section 164 Cr. P.C. has stated that she has married with
this petitioner. Such statement of the victim girl has been enclosed
as Annexure-2 wherein she has stated her age as 25 years. The
court has also assessed her age to be 25 years.

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 Khagaria (Chitragupta



Nagar) P.S. Case No. 219 of 2012, 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, Khagaria, 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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