

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38558 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -SABOUR District- BHAGALPUR

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1. Manish Kumar, son of Raju Das @ Rajendra Das,
 2. Brajesh Kumar, son of Raju Das @ Rajendra Das,
 3. Raju Das @ Rajendra Das, son of Late Sasho Das,
 4. Rina Devi, wife of Raju Das @ Rajendra Das, all are resident of Sabour,
P.S. Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 28-08-2017

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in Sabour P.S.
Case No.98 of 2017 instituted for the offence under Section(s)
366-A/34 Indian Penal Code.

It has been submitted that the victim girl in her
statement recorded under Section 164 Cr. P. C. has stated that she
had gone with Tustus Kumar voluntarily and also established
physical relationship with him. She wants to marry with Tustus
Kumar.

In the written report, it is alleged that Tustus Kumar
has kidnapped the minor daughter of the Informant for the purpose
of marriage. These petitioners also helped him and when the
Informant went to make complain then they became ready to
assault her.



As such, there is no allegation of any specific overt act against these petitioners either in the written report or 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 Sabour P.S. Case No.98 of 2017, 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 Additional Chief Judicial Magistrate X, Bhagalpur, 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 tamper 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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