

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40898 of 2017

Arising Out of PS.Case No. -306 Year- 2016 Thana -ARA MUFFSIL District- BHOJPUR

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1. Hare Ram Yadav,
2. Jai Ram Yadav,
3. Srikant Yadav, all Sons of Late Badri Yadav,
4. Anil Yadav, Son of Hareram Yadav,
5. Akshay Kumar @ Akshay Lal Yadav, S/o Vakil Yadav, All are resident
of Village- Hariharpur, P.S.- Shahpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-09-2017 Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned counsel for the State.

The petitioners apprehend their arrest in Ara Muffasil
P.S. Case No. 306/2016 instituted for the offence under Section
366/34 of the Indian Penal Code.

It is alleged in the written report that Mohit Kumar
along with other accused persons have kidnapped the married
(minor) daughter of the informant. The victim girl gave her statement
under Section 164 of the Cr.P.C., which is annexed as Annexure-2,
wherein, the age of the victim girl is mentioned as 17 years.

Learned counsel for the petitioners has submitted that
the victim has not made any specific allegation of overt act against
the petitioners.



Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Ara Muffasil P.S. Case No. 306/2016, 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 learned Chief Judicial Magistrate, Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the 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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