

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39475 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

1. Chandan Gond, son of Lalmuni Gond, resident of village: Medh
(Medh), P.S. Chainpur, District: Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 08-09-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Chainpur P.S.

Case No.157 of 2017 instituted for the offence under Section(s)

366-A/34 Indian Penal Code.

It has been submitted that the petitioner is not named in the First Information Report. Name of the petitioner has come in the statement of the victim girl recorded under Section 164 Cr. P.C. on her recovery. The girl has been examined medically and her age has been assessed as 16-17 years.

From the statement of the victim girl recorded under Section 164 Cr. P.C., it appears that even if such occurrence has taken place with her, then also it was with her consent.

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 Chainpur P.S. Case No.157 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 Chief Judicial Magistrate, Kaimur, 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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