

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52095 of 2017

Arising Out of PS.Case No. -127 Year- 2017 Thana -MAKHDUMPUR District- JEHANABAD

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1. Rahul Kumar, Son of Surendra Prasad Malakar, Resident of Power Grid Road, Tehta, Police Station-Makhdumpur in the district of Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Makhdumpur (Tehta) P.S. Case No. 127/2017 instituted for the offences under Sections 366, 498/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the victim is a married lady and the petitioner is an unmarried boy. Love affairs developed between the petitioner and victim lady. She had voluntarily gone with the petitioner, which is apparent from the fact that during checking in Railway both were apprehended without ticket. Thereafter the T.T.E. issued ticket with fine.

The counsel for the petitioner has submitted in para 9 of the bail petition that victim in her statement made under Section 164 of the Cr.P.C. has stated that the petitioner took her to the house



of his aunt and he returned back. Thereafter the parents of the petitioner brought her to Jehanabad and thereafter the police brought her to Tehta from Jehanabad.

Considering the facts and circumstances of the case, the 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 Makhdumpur (Tehta) P.S. Case No. 127/2017, 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 the learned Judicial Magistrate 1st Class, Jehanabad, 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) 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 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 petitioner.

(Sanjay Priya, J.)

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