IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62478 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -KURTHA District- JEHANABAD

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Md. Sahid Alam, Son of Ashik Mian, Resident of Village/Mohalla + P.O. - Kurtha, Police Station - Kurtha, District - Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arun Kumar, Advocate.
For the Opposite Party/s : Mr Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kurtha P.S. Case No. 85 of 2017** instituted for the offence under Sections 306 and 328/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that he is brother of the main accused Khalid against whom there is allegation that he committed illegal act with minor daughter of the informant and later on refused to marry her even after *panchayati*.

In the written report it is alleged that mother of Khalid had given two tablets to the daughter of the informant which she consumed and later on, she died. As such, there is no allegation of any overt act against this petitioner.

Considering the facts and circumstances of the case,

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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 **Kurtha P.S. Case No. 85 of 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 **learned Chief Judicial Magistrate, Arwal,** 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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