

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53270 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -DARBHANGA District- DARBHANGA

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Shushil Ray, Son of Mantur Ray @ Dinesh Ray, R/o Mohalla-
Shubhankarpur Dih, P.S.- Town, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Town P.S.**

Case No. 62 of 2017 instituted for the offence under Sections 366
and 366(A) of the Indian Penal Code.

It is alleged in the written report that this petitioner
has kidnapped the minor daughter of the informant.

Case diary has been received.

Learned A.P.P. has submitted that victim girl in her
statement under Section 164 Cr. P.C. has stated that no one has
kidnapped her rather she has voluntarily gone to this petitioner
and performed marriage with him. The learned Magistrate has
assessed her age as 19 years whereas the Doctor has found her age
to be in between 17-18 years.



Considering the facts and circumstances of the case, 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 **Town P.S. Case No. 62 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, Darbhanga**, 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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