

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52114 of 2017

Arising Out of PS.Case No. -142 Year- 2016 Thana -TIKAPATTI District- PURNIA

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1. Sanjeev Kumar Jha Son of Bali Jha Resident of village- Teldiha, P.S.-
Tikkapati, District- Purnia

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Tikapatti P.S. Case No.
142 of 2016 instituted for the offence under Sections-363, 366(A) of the
Indian Penal Code.

It has been submitted that in the statement recorded u/S 164
of the Cr. P.C., the victim girl has stated that she was taken by this
petitioner and Sanjay and, was kept in a rented house. The parents of
Sanjay Kumar used to say to sell the victim girl and thereafter, the
petitioner and co-accused Sanjay were going to sell the victim girl, then
police came and they escaped.

It has been submitted that it is a case of love affairs and
from the statement of victim recorded u/S 164 Cr.P.C. it is apparent that
the victim knew the petitioner from before. The court has assessed her
age as 16 years.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Tikapatti P.S. Case No. 142 of 2016 to the satisfaction of Sri Divya Prakash, learned Judicial Magistrate, Purnea subject to condition as laid down u/S 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 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)

A.K.V./-

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