

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54766 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -KALUAHI District- MADHUBANI

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1. Chandradip Yadav @ Chandradip Kumar Yadav, son of Ram Suresh Yadav, resident of Village- Sirahi, Police Station- Basopatti, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kaluahahi P.S. Case No. 23 of 2017 instituted for the offence under Sections-366A, 120B/34 of the Indian Penal Code.

It has been submitted that the victim girl after recovery has given statement u/S 164 of the Cr.P.C. wherein she has clearly stated that she has voluntarily gone with this petitioner and later on, solemnized marriage with him. Her brother was against the marriage. Therefore, the instant case has been lodged. The victim girl in her statement u/S 164 of the Cr.P.C. has stated her age to be 19 years and the court has also assessed her age to be 18 years. As such, the victim, girl was major.

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 in Kaluahi P.S. Case No. 23 of 2017 to the satisfaction of learned Judicial Magistrate-Ist Class, Madhubani 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)

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