

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55862 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -SALKHUA District- SAHARSA

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Adarsh Kumar, S/o Naresh Prasad Yadav @ Naresh Kumar Yadav, R/o
Village- Mobarakpur, P.S.- Salkhua, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.
Mr. Binod Kumar Sinha, Advocate.
For the State : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Salkhua P.S. Case No. 94 of 2017** instituted for the offence under Sections 366A and 34 of the Indian Penal Code.

In the written report the informant has alleged that his daughter had gone with Mausam Devi and she did not return. The victim girl in her statement under Section 164 Cr. P.C. has stated that she has love affairs with this petitioner and she wants to marry with him. She voluntarily had gone to Delhi with this petitioner.

Learned counsel for the petitioner has submitted that there is no allegation of any specific overt act against this petitioner either in the statement of the victim girl under Section 164 Cr. P.C. or in the written report.

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 **Salkhua P.S. Case No. 94 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 Shri Saroj Kirti, learned **Additional Chief Judicial Magistrate-II, Saharsa**, 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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