

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57827 of 2017

Arising Out of PS.Case No. -494 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. MD. KALIM @ KALIM MIAN @ MD. KALIM ALAM Son of
Sarfuddin Mian Resident of Village - Mahuahi Murshidabad, P.S. -
Ghorasahan, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ghorasahan P.S. Case
No. 494 of 2016 instituted for the offence under Sections-363, 366A/34
of the Indian Penal Code.

It is alleged in the written report that the daughter of the
informant, Puja Kumari aged about 15 years had gone to house of
Safuruddin along with his wife and she did not return back. This
petitioner is said to be son of Sarfuddin.

Counsel for the petitioner has submitted that the victim girl
on recovery has given statement u/S 164 of the Cr.P.C. which is
annexed as Annexure-2 wherein she has stated that she does not know
Kalim. She has further stated that she had voluntarily gone to the house
of her grandmother.



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 Ghorasahan P.S. Case No. 494 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahana, Dhaka, East Champaran, Motihari 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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