

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56568 of 2017

Arising Out of PS.Case No. -320 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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1. Mithun Kumar, Son of Arun Yadav, Resident of Village- Dariyapur,
Police Station- Nathnagar (Masudanpur), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Nathnagar (Lalmatia)

P.S. Case No. 320 of 2017 instituted for the offence under Sections-
366(A), 379/34 of the Indian Penal Code.

It is alleged in the written report that minor daughter of the
informant was kidnapped by the co-accused Dharmraj Yadav along
with his family members and the petitioner.

It is submitted by the learned counsel for the petitioner that
petitioner is the friend of the main accused Dharmraj Yadav, with
whom victim girl has performed marriage and on mere suspicion he has
been made accused in this case. Statement of the victim girl recorded
under Section 164 Cr.P.C. has been enclosed with said petition as
Annexure-2, in which the victim has not named the petitioner. Co-accused
Bansh Raj Yadav, who is the brother of the main accused, has been



granted pre-arrest bail by another Bench of this Court in Criminal Miscellaneous No. 52170 of 2017 on 7.11.2017.

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 Nathnagar (Lalmatia) P.S. Case No. 320 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur 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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