

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15801 of 2017

Arising Out of PS.Case No. -327 Year- 2016 Thana -BAHERA District- DARBHANGA

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1. Ram Bharos Das, son of Chandeshwar Das resident of village - Devram,
P.S. Bahera, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 02-05-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Bahera P.S.
Case No.327 of 2016 instituted for the offence under Section(s)
365, 366-A/34 Indian Penal Code.

As per the written report, minor daughter of the
informant, Manisha Kumari, was kidnapped by this petitioner and
other accused.

It has been submitted on behalf of the petitioner that
there was love affair between the petitioner and the victim girl.
The victim girl has given her statement under Section 164 Cr. P.
C., wherein, she has not alleged any specific overt act against this
petitioner. Counsel for the petitioner has annexed the copy of the
order dated 22.12.2016 passed by the Court below as Annexure-



4, wherein, it has come that the victim girl has filed petition in the Court below that she does not want to go to parents' house due to threat on her life.

It has also been submitted that the petitioner and victim girl has married in Shyama Temple on 26.11.2016. In support of the marriage, receipts dated 26.11.2016 issued by Shyama Temple, Darbhanga, has been annexed as Annexure-2.

The petitioner and the victim girl have sworn Affidavits before the Notary Public about the factum of their marriage on 26.11.2016, which are annexed as Annexure-2 series.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bahera P.S. Case No.327 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Benipur, Darbhanga, 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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