

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54770 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Amit Kumar, Son of Kedar Prasad, resident of Village- Goriya Haraz,
P.S.- Sikarganj, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kuar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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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 Chhatauni P.S. Case No.
26 of 2017 instituted for the offence under Section-366A of the Indian
Penal Code.

It has been submitted that the petitioner is not named in
the written report. The allegation made in the written report is against
Arvind Prasad Yadav of kidnapping the daughter of the informant as he
used to talk with her daughter. The victim girl after recovery has given
statement u/S 164 of the Cr.P.C. wherein she has levelled allegation
against Arvind Prasad Yadav of establishing physical relationship with
her after taking her on the bike. In the statement, the victim girl made
general and omnibus allegation that this petitioner was present at that
time along with Arvind Prasad Yadav.

Counsel for the petitioner has pointed out Annexure-3 the



LIC policy which has been taken in the name of victim girl Shweta Kumari in which, she has been described as wife of Sri Arvind Kumar.

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 Chhatauni P.S. Case No. 26 of 2017 to the satisfaction of learned Chief Judicial Magistrate, 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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