

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37016 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

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1. Shyam Ram, Son of Gopal Ram
2. Gopal Ram, Son of Late Chhedi Ram.
3. Malti Devi, W/o Gopal Ram.
All are resident of village - Matiariya, P.S. Naurangiya, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate.
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 29-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Bagaha P.S.**

Case No. 30 of 2017 instituted for the offence under Sections 366(A)
and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
there is specific allegation against co-accused Gautam Ram of
kidnapping the victim girl. These petitioners are family members of
Gautam Ram.

The victim girl in her statement under Section 164 Cr.
P.C. has alleged that co-accused Gautam Ram took her away to his
house on the motorcycle. The general and omnibus allegation has been
levelled by the victim girl in her statement under Section 164 Cr. P.C.



that the petitioners forcibly got married the victim girl with co-accused Gautam Ram.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Mahila Bagaha P.S. Case No. 30 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Bagaha (West Champaran)**, 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) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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