

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40954 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -KATEYA District- GOPALGANJ

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1. Rahul Sharma, Son of Sri Ram Sharma, Resident of Village- Bheriya,
P.S.- Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kateya P.S. Case No.
101 of 2017 instituted for the offence under Sections-363, 366, 498 of
the Indian Penal Code.

There is allegation in the written report that this petitioner
kidnapped the daughter of the informant when she had gone to attend
call of nature.

The victim girl after recovery, made her statement u/S 164
of the Cr.P.C. wherein she has stated her age to be 20 years and the
court has also assessed her age as 20 years.

From the statement of victim girl, recorded u/S 164 of the
Cr.P.C., it appears that she was a consenting party.

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 Kateya P.S. Case No. 101 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Gopalganj 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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