

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40630 of 2017

Arising Out of PS.Case No. -290 Year- 2016 Thana -ROSERA District- SAMASTIPUR

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1. Vikash Kumar Jha Son of Bachanu Jha, R/o Village- Raghunathpur
kishanpur, P.S.- Warisnagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Rosera P.S. Case No.
290 of 2016 instituted for the offence under Sections-364/34 of the
Indian Penal Code.

It has been submitted that the petitioner is brother-in-law of
the son of the informant.

There is allegation in the written report that this petitioner
along with one Anita Devi, wife of son of the informant took the son of
the informant to Delhi and thereafter, he became traceless. It is also
alleged that wife of son of the informant namely, Anita Devi had illicit
relationship with the petitioner.

It has been submitted that son of the informant was
suffering from mental disease. The petitioner had taken the son of
informant for treatment to Delhi but all of sudden, he left the house in



Haryana for which, the petitioner had lodged first informant report before the Haryana police which has been annexed as Annexure-2.

In the written report, mere suspicion has been raised against the petitioner.

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 Rosera P.S. Case No. 290 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera, Samastipur 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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