

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51036 of 2017

Arising Out of PS.Case No. -164 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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Ram Pravesh Kapar @ Ram Prawesh Kapad Son of Mukhchand Kapar,
Resident of Village-Balaha Rasalpur, P.S. Bajpatti, District Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with
Bajpatti P.S. Case No.164 of 2017 instituted for the offence under
Sections 363, 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that this
petitioner is the father of Jai Kishun Kumar and Kaushal Kumar
with whom the victim girl is alleged to be seen going on
motorcycle as per written report filed by the informant. The
Sessions Judge has mentioned in the impugned order that in
paragraphs 6, 7 and 8 of the case diary witnesses have levelled
allegation against the petitioner.

Learned A.P.P. has submitted after looking into the case
diary that witnesses have merely raised suspicion against the



petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, namely above, within six weeks from today, in connection with Bajpatti P.S. Case No.164 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, District- Sitamarhi, subject to the conditions as laid down under Section438(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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