

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42935 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -BALRAMPUR District- KATIHAR

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1. Md. Ahsan @ Md. Ehsan Son of Md. Tanzil, Resident of Village-Zaijan,
Police Station-Balrampur, District-katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Balrampur P.S. Case
No. 109 of 2017 instituted for the offence under Sections-363,
366(A)/34 of the Indian Penal Code.

It is alleged in the written report that the petitioner with
other accused persons kidnapped the minor daughter of the informant
on 15-06-2017.

It has been submitted on behalf of petitioner that the victim
girl has given statement u/S 164 of the Cr.P.C. in which, she stated that
she has performed marriage with the petitioner. She has stated her age
to be 22 years and the court has assessed her age as 20 years. The
victim girl after medical examination was found pregnant of one month.

Counsel for the petitioner has pointed out towards
Annexure-4, Nikahnama which shows that Nikah of the victim girl was



performed on 16-06-2017. The girl has also stated that she performed marriage with the petitioner on 16-06-2017.

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 Balrampur P.S. Case No. 109 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Katihar 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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