

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40245 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -MEHANDIA District- JEHANABAD

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1. Dharmendra Kumar Choudhary @ Dharmendra Kumar, Son of KRit Choudhry, Resident of Village- Tengura, P.O.- Lata, P.S.- Pauthu, Dist- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Mehandia P.S. Case No. 39 of 2017 instituted for the offence under Sections-366A/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there was love affairs between this petitioner and daughter of the informant. The victim girl was recovered from house of this petitioner on 11-06-2017.

In the statement u/S 164 of the Cr.P.C. which has been annexed as Annexure-2 to this petition, the victim girl has stated that she has voluntarily left her house and performed marriage with the petitioner. She disclosed her age to be 18 years and the court has assessed her age as 17 years. The victim girl was medically examined wherein the doctor found her age to be 18-21 years.



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 Mehandia P.S. Case No. 39 of 2017 to the satisfaction of Sri Ashok Raj, learned Chief Judicial Magistrate, Arwal 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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