

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37360 of 2017

Arising Out of PS.Case No. -407 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Basant Sahani son of Bigu Sahani resident of village - Basman
Bhawanipur, P.S. - Muffasil, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Motihari Muffasil P.S.

Case No. 407 of 2015 instituted for the offence under Sections-366, 506
of the Indian Penal Code.

It has been submitted that the petitioner is brother-in-law of
the victim girl. The FIR has been filed by father of the victim girl
alleging that this petitioner has kidnapped his married daughter. The
victim girl has filed affidavit before the learned Sub Divisional Judicial
Magistrate, Motihari, East Champaran vide Annexure-2 wherein she
has stated that she has not been kidnapped by the petitioner and she has
good relation with her brother-in-law i.e. 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 Motihari Muffasil P.S. Case No. 407 of 2015 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari 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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