

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36817 of 2017**

Arising Out of PS.Case No. -220 Year- 2016 Thana -RAJNAGAR District- MADHUBANI

- =====
1. Umesh Yadav, son of Sri Yadu Nandan Yadav,
  2. Suresh Yadav, son of Sri Shiv Nandan Yadav, both are resident of village- Sahoraba, P.S.- Raj Nagar, District- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Smt. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2/ 10-08-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Raj Nagar P.S. Case No.220 of 2016 instituted for the offence under Section(s) 364, 365/34 Indian Penal Code.

It has been submitted that the petitioners are the neighbours of co-accused, Bipin Yadav, maternal uncle of Bibha Kumari.

It has been submitted that the marriage has been solemnized between the victim boy, Raushan Kumar Yadav, grandson of the informant, and Bibha Kumari, niece of co-accused Bipin Yadav.

The girl in her statement under Section 164 Cr. P. C. has stated that she had love affairs with the victim boy. The Sessions Judge has mentioned in the impugned order that the



victim in her statement has stated that she knew Raushan Kumar Yadav from before and both have also established physical relationship.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Raj Nagar P.S. Case No.220 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1<sup>st</sup> class, Madhubani, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

**(Sanjay Priya, J)**

**JA/-**

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