

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29992 of 2017

Arising Out of PS.Case No. -482 Year- 2015 Thana -SONEPUR District- SARAN

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Ravi Kumar, Son of Lallan Mahto, Resident of Village- Shikarpur Naya
Tola, P.S.- Sonapur, District-Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Sonapur P.S.

Case No. 482 of 2015 instituted for the offence under Sections
372, 366, 367, 323 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
the informant has named this petitioner merely on suspicion as he
was not found present in the house when the informant was
searching his daughter.

In the written report it is alleged that 12 years old
daughter of the informant had gone to call of nature and she did
not return. The informant started searching her but no trace could
be made out. It is further alleged that informant during course of
search, went in front of the house of the petitioner and called him,



but the petitioner was also not found in the house on that date. The child, who was present at the house, told the informant, that petitioner has left the house about two hours back. On next day, the petitioner returned. When the informant went to the house of the petitioner to enquire about his daughter again, he could not give any clue. In this manner, besides suspicion in the written report, there is no other allegation of overt act against the petitioner.

It has been submitted that co-accused Lallan Mahto and Bhago Devi have already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 1.9.2016 passed in Cr. Misc. 26777 of 2016.

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, named above, within six weeks from today, in connection with Sonapur P.S. Case No. 482 of 2015, 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 Additional Chief Judicial Magistrate 1st, Saran at Chapra, 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) 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.

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(Sanjay Priya, J)

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