

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51050 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -KHUDWAN District- AURANGABAD

- =====
1. CHHOTU KUMAR, S/o Sanjay Shah, R/o Village-Malawan, P.S.-Khudwan, District-Aurangabad.
 2. Ajay Rawani, S/o Late Gopal Singh, R/o Village-Ram Nagar, P.S.-Khudwan, District-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. . null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Khudwan P.S. Case No. 40 of 2017 instituted for the offence under Sections-363, 366A/34 of the Indian Penal Code.

It has been submitted that there is no any specific allegation of overt act against the petitioners.

In the written report, there is allegation against co-accused Ravikant Rawani who wanted to marry with Anisha Kumari.

The victim girl has given her statement u/S 164 of the Cr.P.C. (Annexure-2) in which she has not levelled any specific allegation of overt act against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event



of their 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 Khudwan P.S. Case No. 40 of 2017 to the satisfaction of Sri Swarna Prabhat, learned Judicial Magistrate-Ist Class at Daudnagar, Aurangabad 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) 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)

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