

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56794 of 2017

Arising Out of PS.Case No. -170 Year- 2017 Thana -BELAGANJ District- GAYA

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1. Vijay Das son of Late Kali Das
2. Naresh Das son of Late Kali Das
3. Sumant Kumar son of Vijay Das All residents of village Ore, P.S.
Belaganj, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017

Heard learned counsel for the petitioners and the State.

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

It has been submitted that after recovery, statement of the
victim girl was recorded u/S 164 Cr.P.C. in which she has not alleged
any specific overt act against these petitioners.

In the written report, there is allegation that villager of the
informant namely; Hemant Kumar along with these petitioners has
taken away the minor daughter of the victim. In the statement u/S 164
of the Cr.P.C. the victim girl has taken only name of Hemant Kumar
but not the 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 in Belaganj P.S. Case No. 170 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gaya 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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