

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32712 of 2017

Arising Out of PS.Case No. -1901 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

=====

1. Jitendra Kumar Singh Son of Sri Dinesh Prasad Singh, Resident of Village- Janakpur, P.S.- Ujiyarpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mikki Kumari, D/o Murari Singh, Resident of Village- Gothiyari, P.S.- Tajpur, District- Samastipur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Shashank Shekhar.
For the Informant : Mr. Anand Kishore, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No. 1901 of 2016 instituted for the offence under Sections-376, 313 of the Indian Penal Code.

From the allegation in the written report itself, it appears that the informant with her consent went with the petitioner and also established physical relationship after performing marriage with him and, thereafter, she became pregnant.

From the narration, made in the complaint petition, it appears that the informant was herself a consenting party. The informant has mentioned her age in the complaint petition itself as 22 years.



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 Complaint Case No. 1901 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Samastipur 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)

A.K.V./-

U		T	
---	--	---	--

