

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34217 of 2016

Arising Out of PS.Case No. -51 Year- 2015 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Kamlesh Kumar, S/o Pradip Sah, R/o Village-Araria, P.S.-Kundwa
Chainpur, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Kundwa
Chainpur P.S. Case No.51 of 2015 instituted for the offence
under Section(s) 366-A/34 Indian Penal Code.

There is allegation in the written report that minor
daughter of the informant was kidnapped by the informant and
other accused persons.

It is mentioned in the impugned order of the learned
Additional Sessions Judge that the victim girl was recovered and
she gave statement under Section 164 Cr. P. C., wherein, she has
stated that she had love affair with the petitioner and she has
performed marriage with the petitioner.

It has been submitted on behalf of the petitioner that
the victim girl is living with him after marriage and two children



has also born out of the wedlock.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Kundwa Chainpur P.S. Case No.51 of 2015, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sikrahna, East Chamapran, Motihari, 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.

(Sanjay Priya, J)

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