

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51446 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -BARHARA District- BHOJPUR

=====

1. Sanjay Singh Son of Sri Jhalak Singh, R/o Village- Mahuar, P.S.- Bihta,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Barhara P.S. Case No.
122 of 2017 instituted for the offence under Sections-379, 366A &
other minor Sections of the Indian Penal Code.

It has been submitted that the petitioner is not named in the
written report, the name of petitioner has been taken by the victim girl
in her statement u/S 164 of the Cr.P.C.

Counsel for the petitioner has submitted that the victim girl
has taken the name of this petitioner in statement u/S 164 of the Cr.P.C.
and has levelled allegation of kidnapping along with other accused.
Counsel for the petitioner has submitted that the victim girl has already
performed marriage which is apparent from Annexure-3 wherein she
has stated that she has performed marriage with Gautam. Vide
Annexure-4, it appears that she has solemnized marriage with Sunil



Kumar Thakur. It has been submitted that the occurrence is alleged to have taken place on 03-01-2017 and the complaint was filed on 06-02-2017. In the statement u/S 164 of the Cr.P.C. the victim girl has levelled general and omnibus allegation against this petitioner. The victim girl was not medically examined.

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 in Barhara P.S. Case No. 122 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Arrah 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	
---	--	---	--

