

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34377 of 2017

Arising Out of PS.Case No. -1468 Year- 2014 Thana -COMPLAINT CASE District- BANKA
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1. Vivek Yadav, son of Nikko Yadav.
 2. Nikko Yadav, son of Muso Yadav,
- Both are resident of Village- Rotavaran, P.S. Bounsi, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kapildeo Yadav, son of Yogendra Yadav, resident of Village- Hanumatta, P.S. Bounsi, District- Banka.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Complaint Case No. 1468 of 2014 instituted for the offence under Sections 448, 323, 366 and 380 of the Indian Penal Code.

As per complaint petition, co-accused Rajesh Yadav along with these petitioners entered into the house of the complainant and took away jewellery and other articles as mentioned in the complaint petition and also kidnapped the married wife of the complainant. It is further alleged in the complaint petition that Rajesh Yadav has performed marriage with Ranju Devi knowing the facts that she was married lady.

In this manner, there is specific allegation of overt act of performing marriage with married wife of the complainant against co-



accused Rajesh Yadav.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Complaint Case No. 1468 of 2014, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Banka, 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) 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.

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(Sanjay Priya, J)

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