

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54451 of 2017

Arising Out of PS.Case No. -38 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

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Girijesh Kumar Tripathy @ Girijesh Tripathy, Son of Late Sheo Shankar Tripathy, R/o Village Ahirauli, Post Arjun Dumri, P.S. Haita, District- Kushinagar (U.P.) At present posted as Principal, Rajendra Smarak 10 +2 Uchaya Vidyalaya, Gobrahiya Doun, P.S. Gobrahiya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate.

For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 29-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kuchaikote**

P.S. Case No. 38 of 2015 instituted for the offence under Sections 363, 365 and 34 of the Indian Penal Code.

It is alleged by the informant that his daughter Anshu Devi was married with the petitioner and after four years of her marriage, her husband left her for which his daughter filed complaint case no. 23 of 2006. It has been further alleged that his daughter was living in a rented house where she was running a beauty parlour for her livelihood. It has been further alleged that on 28.2.2015, when the wife of the informant went to meet the daughter, she found the door of the house of her daughter was



locked. She enquired from her neighbour who told that one Sunil Kumar Tiwary used to meet her daughter Anshu Devi. She had gone with Sunil Kumar Tiwary. Thereafter, informant contacted Sunil Kumar Tiwary over his phone who told that he is also searching his daughter. The informant suspected that the petitioner in connivance with Sunil Kumar Tiwary has taken away his daughter.

Learned counsel for the petitioner has submitted that there is allegation in the written report that victim girl eloped with Sunil Kumar Tiwari. The police after investigation submitted charge sheet against Sunil Kumar Tiwari.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Kuchaikote P.S. Case No. 38 of 2015**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gopalganj**, 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.

S.Ali/-

(Sanjay Priya, J)

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