

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31196 of 2017

Arising Out of PS.Case No. -132 Year- 2014 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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Basant Kumar, S/o Late Ramdeo Mahto, R/O village- Mohamadpur Kauari,
P.S.- Waini, Distt.- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 24-07-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Muffasil P.S.
- Case No. 132 of 2014 instituted for the offence under Sections
- 363 and 366(A) of the Indian Penal Code.
- It has been submitted that this petitioner is maternal
- uncle (*Mama*) of co-accused Sumant Kumar who has already been
- granted regular bail by a coordinate Bench of this Court vide order
- dated 9.5.2017 passed in Cr. Misc. 22142 of 2017.
- The victim girl in her statement under Section 164 Cr.
- P.C. has not taken the name of the petitioner, copy of which, has
- been enclosed as Annexure-2.
- The petitioner is said to be the maternal uncle of the
- co-accused Sumant Kumar.



From the written report it appears that there is allegation of specific overt act against co-accused Sumant Kumar.

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 Muffasil P.S. Case No. 132 of 2014, 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 Sub Divisional Judicial Magistrate, Samastipur, 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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