

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45724 of 2017

Arising Out of PS.Case No. -353 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Deo Chandra Singh Son of Harendra Prasad Singh, R/o Village- Naweya,
P.S.- Kotha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in K. Hat (Maranga) P.S.
Case No. 353 of 2017 instituted for the offence under Section-376 of
the Indian Penal Code and Sections-4 & 17 of POCSO Act.

It has been submitted that victim girl has been married with
this petitioner and, in support of which, Annexure-1 has been filed
which is a petition, filed by the victim girl before the court below
stating therein that she has performed marriage with this petitioner and
is leading happy conjugal life with him.

In the written report, there is allegation that this petitioner
took the victim girl in a maize field and committed illegal act and later
on, he performed marriage with her but did not take her to his house.
Now, as per Annexure-1 both are leading happy conjugal life.

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 K. Hat (Maranga) P.S. Case No. 353 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Purnea 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)

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