

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44392 of 2017

Arising Out of PS.Case No. -259 Year- 2016 Thana -PHULPARAS District- MADHUBANI

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1. Indra Narayan Yadav Son of Ram Tahal Yadav, R/o Village- Gahuma
Bairiya, P.S.- Phulparas, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Phulparas P.S. Case No.
259 of 2016 instituted for the offence under Sections-363, 366A,
120(B)/34 of the Indian Penal Code.

Counsel for the petitioner has submitted that there is no
specific allegation against this petitioner in the written report of
committing illegal act with the victim girl. The victim girl has been
recovered and her statement was recorded u/S 164 of the Cr.P.C.
wherein she has stated that she went with one Manish Mandal and
lived with him for one month. She has also alleged that Manish Mandal
established physical relationship with her. The victim girl has stated
vaguely in her statement u/S 164 of the Cr.P.C. that the petitioner also
used to come and established physical relation with her.

From the statement of victim girl u/S 164 of the Cr.p.C., it
appears that she lived with Manish Mandal for about one month at
various places.

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 Phulparas P.S. Case No. 259 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani 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./-

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