

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16014 of 2017**

Arising Out of PS.Case No. -208 Year- 2016 Thana -RAJNAGAR District- MADHUBANI

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Nage Singh @ Nagendra Prasad Singh, Son of Lt. Nebu Singh, Resident of  
Village- Kebal Patti, P.S.- Raj Nagar, District- Madhubani.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party/s : Mr. Panchanand Pandit, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      04-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Raj Nagar P.S.

Case No. 208 of 2016 instituted for the offence under Sections 364, 368  
of the Indian Penal Code and Section 4 of POCSO Act.

As per allegation, the minor daughter of the informant  
Pinki Kumari aged about 15 years, student of Class-VII, went to the  
courtyard of the petitioner on his request but did not return till 9:00  
p.m. The complainant enquired from the petitioner, and then he told  
that she will come back after few days, but after passing one and half  
months, the daughter of the informant did not return. Thereafter, the  
informant enquired into the matter and learnt that Rekha Devi, daughter  
of this petitioner who is living in U.P., had taken away the daughter of  
the informant, where she is living with her.

The victim girl on her recovery has given statement under  
Section 164 Cr. P.C. wherein she has stated that she had gone to  
Kanpur with Rekha Devi voluntarily where she kept her properly, but



she returned home due to home sickness.

Counsel for the opposite party No. 2 has appeared and opposed the prayer for bail.

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 Raj Nagar P.S. Case No. 208 of 2016, 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 1<sup>st</sup> Additional Sessions Judge, Madhubani, 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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