

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57938 of 2017

Arising Out of PS.Case No. -307 Year- 2017 Thana -FATUHA District- PATNA

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1. Kajal Kumari, D/o Sri Bhim Paswan.
2. Sona Devi, W/o Sri Bhim Paswan.
3. Bhim Paswan, S/o Late Saryug Paswan. All Resident of Mohalla- Sora Kothi, P.S.- Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajkumari Devi, W/o Late Raju Paswan, Resident of Mohalla- Sora Kothi, P.S.- Fatuha, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Fatuha P.S. Case No. 307 of 2017 instituted for the offence under Sections 366(A) of the IPC.

Counsel for the petitioner has submitted that victim girl in her statement recorded under Section 164 Cr.P.C. stated that she had gone to Himachal Pradesh with co-accused Rahul @ Badal Kumar and lived with him for five days. The victim girl has not alleged any specific overt act against these petitioners. He further submits that these petitioners are family members of Rahul @ Badal Kumar.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioners, named above, in the event of their 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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Fatuha P.S. Case No. 307 of 2017 to the satisfaction of learned J.M., Ist Class, Patna City, Patna 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) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners 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 petitioners.

(Sanjay Priya, J)

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