

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41025 of 2017

Arising Out of PS.Case No. -237 Year- 2017 Thana -SAHARSA District- SAHARSA

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Suraj Chaudhary @ Suraj Kumar Jaiswal @ Suraj Kumar Chaudhary, Son
of Anirudh Chaudhary, Resident of Mohalla - Naya Bazar, Ward No. 2, P.S.
+ District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Smt. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Saharsa P.S. Case No. 237 of 2017** instituted for the offence under Sections 363, 365 and 34 of the Indian Penal Code.

There is allegation in the written report that this petitioner along with other accused persons has kidnapped the daughter-in-law and grand-son of the informant.

The daughter-in-law of the informant after recovery has given her statement under Section 164 Cr. P.C. wherein she has stated that her husband used to assault her and, thereafter, she has voluntarily gone with the petitioner and performed marriage with him. She has stated her age as 32 years and court below has also assessed her age to be 32 years.

The statement of grand-son of the informant has also been



recorded under Section 164 Cr. P.C. which has been enclosed as Annexure-2 series wherein he has also stated that his mother was assaulted by his father and, therefore, she went out from the house.

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 **Saharsa P.S. Case No. 237 of 2017**, 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 Chief Judicial Magistrate, Saharsa**, 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.

(Sanjay Priya, J)

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