

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47146 of 2017

Arising Out of PS.Case No. -192 Year- 2016 Thana -BAJPATTI District- SITAMARHI

=====

1. Bharat Sah, son of Bholu Sah, R/o Village- Balbhiswa, P.S.- Bajpatti,
District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP
Mr. Sunil Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 05-01-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner apprehends his arrest in **Bajpatti P.S.**

Case No.192 of 2016 instituted for the offence under Section(s)
363, 366-A/34 Indian Penal Code.

In the written report, it is alleged that one Monu Ahmed has kidnapped the minor daughter of the informant. It has also been alleged that this petitioner also helped Monu Ahmed in kidnapping the daughter of the informant.

The victim girl on her recovery has given statement under Section 164 Cr. P.C., wherein, she has stated that she was taken on motorcycle by Monu and Shagir Ahmed. She has also stated that this petitioner got her seated on the motorcycle.

As such, besides the allegation that this petitioner got her seated on the motorcycle, there is no allegation of any



other specific overt act against this petitioner.

In the written report, mere suspicion has been raised against the petitioner by the informant.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Bajpatti P.S. Case No.192 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 the **Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi**, 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)

JA/-

U		T	
---	--	---	--

