

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7441 of 2018

Arising Out of PS. Case No.-303 Year-2017 Thana- BAHADURPUR District- Darbhanga

1. Deva Paswan @ Deva Kumar Paswan, S/o Sri Moti Paswan,
 2. Lalan Paswan @ Lalan Kumar Paswan S/o Sri Moti Paswan,
- Both are R/o Village- Ojhaul, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 13, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bahadurpur P.S. Case No. 303 of 2017 instituted for the offence under Sections 363,366,366(A)/34 of the IPC.

The FIR has been lodged against unknown. The name of these petitioners has come during investigation.

Learned counsel for the petitioners has submitted that the statement of the victim girl has been recorded under Section 164 Cr.P.C., wherein, she did not level any allegation against these petitioners. In the impugned order, it has been mentioned that she left her house at her own will and went to the house of her uncle at Madhepura and on knowledge about this case she



returned from there.

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 Bahadurpur P.S. Case No. 303 of 2017 to the satisfaction of the learned S.D.J.M., Darbhanga, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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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