

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9929 of 2018

Arising Out of PS. Case No.-120 Year-2017 Thana- MINAPUR District- Muzaffarpur

Prem Paswan, Son of Binda Paswan, Resident of Village- Basudeo Chapra,
P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Md. Ashlam Ansari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Minapur P.S.

Case No. 120 of 2017 instituted for the offence under Sections
365,379,506,34 of the IPC.

On 01.04.2017, all the accused persons including
petitioner came at the house of the informant on the pretext of
'Tantra-Mantra' and stayed in the night and took away household
articles as mentioned in the written report along with his wife
and son, who is aged about five years. It has been further
alleged that on the next day the informant got information about
the occurrence, when he returned from Deemapur. Thereafter,
the informant inquired from co-accused Chanavati Devi, who
told that his wife and son had been sent to some other place and
threatened him of dire consequences.



Counsel for the petitioner has submitted that case diary has been received, wherein, the victim lady has given statement under Section 164 Cr.P.C. in which she has stated that she lived with this petitioner for two months. She stated her age as 28 years.

In such circumstances, from the statement of victim lady recorded under Section 164 Cr.P.C., it appears that she lived with this petitioner for more than two months. Therefore, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his 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) with two sureties of the like amount each in connection with Minapur P.S. Case No. 120 of 2017 to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, 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) petitioner 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 petitioner and (3) if the 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)

khushbu/-

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

