

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52748 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Akhilesh Yadav @ Akhilesh Kumar, Son of Rajo Yadav,
 2. Rajo Yadav, Son of Jaini Yadav @ Jayanarayan Yadav,
- Both R/o Village- Chandour Tola, Belha, P.S.- Saur Bazar, District- Saharsa.
3. Mukesh Kumar, Son of Late Balram Yadav, R/o Village- Murli, P.S.- Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate.

For the Opposite Party/s : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Saur Bazar P.S.**

Case No. 9 of 2017 instituted for the offence under Sections 366(A), 372 and 34 of the Indian Penal Code.

It is alleged in the written report that minor daughter of the informant namely, Neha Kumari, has become traceless near from Khan Market at Sour Bazar. It is further alleged that on 2.7.2017, the informant received call on his Mobile phone that if he lodges the case, he along with his family members will be killed.

The victim girl has given her statement under Section 164 Cr. P.C. which has been called for from the court below and the same has been received. In the statement of the victim girl recorded under



Section 164 Cr. P.C. she has stated that she has voluntarily gone with her friends. She has not alleged any allegation against these petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Sour Bazar P.S. Case No. 9 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each 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) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper 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.

Let the statement of victim girl recorded under Section 164 Cr. P.C. be returned to the court below forthwith.

(Sanjay Priya, J)

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