

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44282 of 2018

Arising Out of PS.C.ase No. -49 Year- 2018 Thana -BAKHTIARPUR District- SAHARSA

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1. Bibhishan Yadav S/o Lalo Yadav, R/o Vill.- Ghoghsan, O.P.- Kanaria,
Police station- Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Bakhtiyarpur
(Kanaria O.P.) P.S. Case No. 49/2018, instituted for the offence
punishable under Section 366 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
it is alleged by the informant that this petitioner and other accused
persons forcibly kidnapped his wife. The statement of the victim
lady has been recorded under Section 164 Cr.P.C. wherein she has
stated that some altercation had taken place between her and her
husband and she had voluntarily gone to the house of the
petitioner and performed marriage with him on her own sweet
will.



Considering the facts and circumstances of the case, the 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 Bakhtiyarpur (Kanaria O.P.) P.S. Case No. 49/2018, 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 learned Chief Judicial Magistrate, Saharsa, subject to the conditions as laid down under Section 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 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 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 petitioner.

(Sanjay Priya, J.)

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