

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47000 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -BIRPUR District- SUPAUL

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1. Tabrez Alam @ Md. Tabrez Son of Anwar Sad Resident of Kochgama
Ward No. 11, P.S., Birpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Birpur P.S.
Case No. 85/2018, instituted for the offences punishable under
Sections 366A, 120(B) of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
in the written report, there is specific allegation against co-accused
Rahamatullah of kidnapping the daughter of informant. The victim
girl on her recovery has made statement under Section 164 Cr.P.C.
wherein she has stated that on the date of occurrence Md.
Rahamatullah forcibly kidnapped her in Scorpio. She has levelled
general and omnibus allegation against this petitioner that he was
also sitting in the Scorpio and put hankie on her mouth. Thereafter



she became unconscious. She has also stated in her statement that she was apprehended by the police along with Rahamatullah.

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 Birpur P.S. Case No. 85/2018, 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 A.C.J.M., Birpur (Supaul), 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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