

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44753 of 2018

Arising Out of PS.Case No. -25 Year- 2017 Thana -ARIYARI District- SEKHPURA

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1. Dilip Chauhan @ Dilip Kumar Son of Balmiki Chauhan, Resident of Village-Pharpar, P.S.-Ariyari, District-Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Ariyari P.S. Case No. 25/2017, instituted for the offences under Sections 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

In the written report, it is alleged that the petitioner has kidnapped the minor daughter of the informant.

Learned counsel for the petitioner has submitted that the victim girl has performed marriage with this petitioner. In her statement made under Section 164 of the Cr.P.C., she has stated her age to be 18 years. The court below has also assessed the age of the victim girl to be 18 years. In her statement under 164 of the Cr.P.C., she has stated that she has performed marriage with this



petitioner.

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 Ariyari P.S. Case No. 25/2017, 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 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Sheikhpura 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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