

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25401 of 2018

Arising Out of PS. Case No.-172 Year-2017 Thana- NALANDA District- Nalanda

Santu Patel S/o Nawal Kishore Prasad, R/o Vill.- Dhanhara, P.S.- Silao,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Adv.

For the Opposite Party/s : Mr. Rajeev Nayan, APP 231

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection
with Nalanda P.S. Case No. 172 of 2017 instituted for the
offence under Section 364A of the Indian Penal Code.

Counsel for the petitioner submits that that the
petitioner is not named in the first information report. The
victim boy in his statement under Section 164 of the Criminal
Procedure Code has not taken the name of this petitioner.
The statement of the victim boy has been annexed as
Annexure 2. It is also mentioned in paragraph 3 of the petition
that the petitioner has clean antecedent. During investigation
one co-accused, Ajay Kumar, gave his confessional statement
before the police. He has taken the name of this petitioner for



first time on 08.11.2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Nalanda P.S. Case No. 172 of 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 **Chief Judicial Magistrate, Nalanda at Biharsharif**, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if 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)

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