

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16060 of 2018

Arising Out of PS.Case No. -312 Year- 2015 Thana -BARHARIA District- SIWAN

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Chandrama Prasad, S/o Manbahal Prasad, R/o Village- Tinbhediya Kala,
P.S.- Barharia, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Barharia P.S.**

Case No. 312 of 2015 instituted for the offence under Sections 363(A), 364 and 120(B) of the Indian Penal Code, but cognizance has been taken under Section 363, 366, 376, 120(B) of the Indian Penal Code and Section 6 of POCSO Act.

Learned counsel for the petitioner has submitted that informant has merely raised suspicion against the petitioner in kidnapping of her daughter.

The victim girl on recovery gave statement under Section 164 Cr. P.C. wherein she has not taken name of this petitioner. She has taken name of co-accused Dharmender, Ganesh and one unknown person who have taken her after closing



her mouth. The petitioner has been made accused because he is father of Dharmender Prasad.

Considering the facts and circumstances of the case, 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 **Barharia P.S. Case No. 312 of 2015**, 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 **learned Special Judge-cum-Additional Sessions Judge-I, Siwan**, 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) 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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