

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42262 of 2018

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1. Ganesh Chaudhary, S/o Late Jagdish Chaudhary,
2. Shushila Devi, W/o Ganesh Chaudhary,
Both resident of Kali Pokhar P.S.- Muffasil, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhagya Narain Gupta, Advocate.
For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-08-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Muffassil**
P.S. Case No. 137 of 2018 instituted for the offence under Section
366(A)/34 of the Indian Penal Code.

Counsel for the petitioners has submitted that victim
girl has been recovered. She has given statement under Section
164 Cr. P.C. stating that she was in love with Deepak Choudhary.
She has voluntarily gone with Deepak Choudhary and performed
marriage with him. The statement of victim girl recorded under
Section 164 Cr. P.C. is available in paragraph-37 of the case diary
wherein she has stated her age as 20 years and the court has
assessed her age to be 19 years. It has been submitted that



petitioners are parents of Deepak Choudhary.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Muffassil P.S. Case No. 137 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gaya**, 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) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners 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 petitioners.

(Sanjay Priya, J)

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