

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.54259 of 2017**

Arising Out of PS.Case No. -116 Year- 2016 Thana -KADWA District- KATIHAR

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1. Sonu Kumar Ray, Son of Shiva Ray, Resident of Village - Dharhan Colony, P.S. - Pranpur, District - Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Harish Chandra Patel, Advocate

For the Opposite Party/s : Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

**ORAL ORDER**

3 16-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kadwa P.S. Case No. 116 of 2016 instituted for the offence under Sections 341,323,366A,376,504,120(B) of the IPC.

It is alleged in the written report that this petitioner has kidnapped the minor daughter of the informant namely Mira Kumari with intention to marry her. The statement of victim girl has been recorded under Section 164 Cr.P.C. wherein, she has stated that she had love affair with this petitioner and she went with him voluntarily and had physical relationship with him. Thereafter, the petitioner refused to marry her and left her at the station.

Learned counsel for the petitioner has submitted that the victim girl has already been married with one Bikram Kumar, son of Sunil Kumar Ray as mentioned in para 8 of this petition.



In such circumstances and from the statement of the victim girl recorded under Section 164 Cr.P.C. that she had voluntarily gone with the petitioner, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kadwa P.S. Case No. 116 of 2016 to the satisfaction of learned A.C.J.M.-IV, Katihar subject to condition as laid down u/S 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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