

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53759 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

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1. Ajay Kushwaha @ Ajay Kumar, son of Ram Awdhesh Verma, R/o
village- Bherihari, P.S.- Valmikinagar, District- West Champaran.
..... Petitioner/s

Versus

1. The State of Bihar.
2. Nathuni Mahto, son of Laxmi Mahto, resident of village-Charghaiya,
P.S.-Valmikinagar, District-West Champaran.
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP
Mr. Suresh Prasad Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 20-02-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in **Bagaha (Mahila)**

P.S. Case No.28 of 2017 instituted for the offence under
Section(s) 363, 366-A/34 Indian Penal Code.

It is alleged in the written report that minor daughter
of the informant has been kidnapped by Akhilesh Gupta, son of
Chandrika Sah, with other accused persons including this
petitioner. Informant has further alleged that the informant made
enquiry from the father of Akhilesh Gupta, namely, Chandrika
Sah, then he admitted of having kidnapped his daughter and



assured that she will return within one week, but the girl has not returned.

Learned counsel for the petitioner has submitted that this petitioner is not at all concerned with the family of Chandrika Sah. His name has been mentioned in the written report merely on suspicion.

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 **Bagaha (Mahila) P.S. Case No.28 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 **Sub-Divisional Judicial Magistrate, Bagaha, West Chamapran**, 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.

JA/-

(Sanjay Priya, J)

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