

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47970 of 2017

Arising Out of PS.Case No. -150 Year- 2013 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Sanjay Pandit Son of Ramlal Pandit, R/o Village- Belwatiya, P.S.- Sugauli,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sugauli P.S. Case
No. 150 of 2013 instituted for the offence under Sections
366(A),372,120(B)/34 of the IPC.

Learned counsel for the petitioner has submitted that
occurrence has taken place on 06.04.2013 and the complaint was
filed on 25.04.2013 on which basis the FIR has been registered
against the petitioner.

It is alleged in the complaint petition that on the date of
occurrence, all the accused persons came to his house and wanted
to take the daughter of the informant for marriage but the wife of
the informant raised objection. It is alleged that on the next
morning the informant came to know that his daughter and niece



have been kidnapped by the accused persons. The case diary has been received. It is mentioned in the case diary that one of the victim girl namely Rekha Kumari has been recovered from Haryana and has given her statement under Section 164 Cr.P.C. wherein she has stated that one Renu and Sima has sold her. The another victim girl has not been recovered.

From the complaint petition itself, it appears that general and omnibus allegation has been leveled against the petitioner. The girl namely Rekha Kumari who has been recovered has not leveled any specific allegation of overt act against the petitioner in her statement under Section 164 Cr.P.C.

In such circumstances, 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 Sugauli P.S. Case No. 150 of 2013 to the satisfaction of learned C.J.M., East Champaran, Motihari 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, the bail bond of the petitioner will liable to be cancelled (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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