

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2578 of 2018

Arising Out of PS.Case No. -137 Year- 2016 Thana -BABUBARHI District- MADHUBANI

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1. Mangal Jha @ Mangla Jha S/o Navo Narayan Jha, R/o village - Bardahi,
Ward No. 6, P.S.- Babubarhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Babubarhi P.S. Case No.
137 of 2016 instituted for the offence under Sections-366(A)/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that the
petitioner is not named in the written report.

There is allegation against co-accused Umesh Kumar Jha of
kidnapping the daughter of the informant. The victim girl has given
statement u/S 164 Cr.P.C. wherein she has stated the name of this
petitioner. In her statement u/S 164 Cr.P.C., she has stated that this
petitioner brought her before Umesh Kumar Jha who kept her for 2-3
days with him.

The said Umesh Kumar Jha has been granted anticipatory
bail by a coordinate bench of this court vide order dated 09-11-2017



passed in Cr. Misc. No. 52130 of 2017. The compromise has also taken place between the parties.

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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Babubarhi P.S. Case No. 137 of 2016 to the satisfaction of Additional District & Sessions Judge-I-cum Special Judge, Madhubani 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioner 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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