

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10422 of 2018

Arising Out of PS.Case No. -213 Year- 2017 Thana -ARWAL District- JEHANABAD

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1. Girja Yadav @ Chuman Yadav, S/o Late Kailash Yadav,
2. Nirbhay Yadav S/o Girja Yadav,
Both R/o Village- Bhelabar P.S.- Uphara District- Aurangabad.
3. Rajesh Yadav @ Rajeshwar Yadav, S/o Ramashish Yadav,
4. Shambhu Yadav, S/o Rajesh Yadav,
Petitioner Nos. 3 & 4 R/o Village- Jonhi, P.S.- Rafiganj, District-
Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, A.p.p.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-02-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Arwal P.S. Case No. 213 of 2017** instituted for the offence under Section 366A of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is no allegation of any overt act against the petitioners in the written report.

In the written report it is alleged that grand daughter of the informant has been taken away by one Mantosh Kumar with association of petitioner Nos. 1 and 2.

The victim girl on her recovery has given statement under Section 164 Cr. P.C. wherein she has not levelled any allegation of



overt act against these petitioners. In her statement recorded under Section 164 Cr. P.C. she has stated her age as 18 years and the court has also assessed her age to be 18 years.

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 **Arwal P.S. Case No. 213 of 2017**, 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, Arwal**, 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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