

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34297 of 2018

Arising Out of PS. Case No.-56 Year-2017 Thana- DHANKUND District- Banka

Mukesh Kumar, Son of Kapil Paswan, Resident of Village- Bagroeya, P.S.-
Dhankund, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Dhankund P.S. case no.
56 of 2017 instituted for the offence under Section 366A/34 of
the Indian Penal Code.

The case diary has been received. The statement of the
victim girl recorded under Section 164 Cr. P.C. has also been
received from the learned Court below wherein she has stated
that she has voluntarily gone with petitioner and performed
marriage with petitioner. The victim girl has stated her age to be
18 years. The Court has also assessed her age to be 18 years.

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 Dhankund P.S. case no. 56 of 2017, G.R. No. 2873 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 ACJM-IV, Banka, 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 absence on two consecutive dates without proper and reasonable reason will automatically 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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