

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46928 of 2018

Arising Out of PS. Case No.-314 Year-2017 Thana- BIHTA District- Patna

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Md. Mahtab @ Mahtab @ Md. Mahtab Alam son of Md. Moinuddin @
Ranshan, resident of Village- Gyanpur Purab, Police Station- Koilwar, Post
Office- Birampur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Nayan Singh

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in connection with Bihta
P.S. Case No. 314 of 2017 instituted for the offence under
Section(s) 363, 365 and 366A of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is no any allegation of specific overt act against this
petitioner in the written report. The victim girl has given her
statement under Section 164 Cr.P.C. wherein she has stated that
she was kidnapped on motorcycle by one Shahbaz and one
unknown person. She has further levelled allegation that
Shahbaz took her to the house of his sister and kept her there for
four days and thereafter he took her to Delhi.



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 Bihta P.S.Case No. 314 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 CJM, Patna; 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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