

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54592 of 2017

Arising Out of PS.Case No. -235 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Shahid Khan, Son of Md. Imran Khan, resident of Village- Kasbe Ahar,
Tajpur Alee Mandi, P.S.- Tajpur, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 29-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Tajpur P.S.

Case No.235 of 2017 instituted for the offence under section 366
of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
victim girl has given her statement under section 164 of the
Cr.P.C., where she has not made any specific allegation against
the petitioner.

In the F.I.R., it is alleged that the minor daughter of
informant, aged about 15 years had gone for coaching but she did
not return. The informant received message on his mobile phone,
on which, he suspects that his daughter has been kidnapped by his
neighbour.

The statement of victim girl has been recorded under



Section 164 of the Cr.P.C., where she has not levelled any specific allegation against the petitioner. She has only stated that she has identified the person, who was moving the car.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with, Tajpur P.S. Case No.235 of 2017 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 learned Additional Sessions Judge-1st, Samastipur, 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 co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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