

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.106 of 2018

Arising Out of PS.Case No. -199 Year- 2017 Thana -SANHOLA District- BHAGALPUR

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Md. Javed @ Md. Javed Alam @ Javed Alam, son of Md. Bahid, Resident
of Village- Tanakmas, P.S.- Sonhoula, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Sonhoula P.S.**

Case No. 199 of 2017 instituted for the offence under Sections
341, 323, 376 and 34 of the Indian Penal Code.

It is alleged in the written report that petitioner used to
establish physical relationship with the informant for the last one
year on the pretext of marrying with her.

The victim girl (informant) has been examined under
Section 164 Cr. P.C. wherein she has stated her age as 19 years
and the court has also assessed her age to be 19 years. As such, the
victim girl (informant) is adult, and if any such act was done, it
was with her consent.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Sonhoula P.S. Case No. 199 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 learned **Additional Chief Judicial Magistrate, V, Bhagalpur**, 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 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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