

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23803 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -KUDHNI District- MUZAFFARPUR

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Santosh Kumar, Son of Manoj Kumar Bhagat, Resident of Village-
Madhual, P.S.-Kudhni (Turki O.P.), District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate.
Mr. Kumar Rajeev, Advocate.

For the State : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-05-2018

Heard learned counsel for the petitioner and the State.

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

Case No. 13 of 2018 instituted for the offence under Sections
366(A)/34 of the Indian Penal Code.

In the written report it is alleged that this petitioner kidnapped the minor niece of the informant. During investigation, the victim girl has given her statement under Section 164 Cr. P.C. which is available in the case diary wherein she has stated that she had voluntarily gone with this petitioner and performed marriage with him. She has not been kidnapped.

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 **Kudhni P.S. Case No. 13 of 2018**, 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 **Sub Judge IIIrd-cum-A.C.J.M. IIIrd, Muzaffarpur**, 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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