

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8330 of 2018

Arising Out of PS. Case No.-812 Year-2017 Thana- SITAMARHI District- Sitamarhi

Sunil Kumar, S/o Ram Ekbal Singh Resident of Village- Bhopbhairaw Ward
No. 5, P.S. Sitamarhi, District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-03-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends arrest in Sitamarhi P.S.
Case No. 812 of 2017 instituted for the offence under Sections
363,366A of the IPC.

It is alleged in the written report that his minor
daughter aged 15 years namely Madhu Singh went to her school
for collecting her matriculation certificate but did not return.
The informant got information that the petitioner has kidnapped
his daughter with other villagers. The informant further alleged
that the petitioner assured him that his daughter was safe.

Counsel for the petitioner has submitted that the
victim girl in her statement recorded under Section 164 Cr.P.C.
has stated her age as 17 years and learned court below also



assessed her 17 years. In her statement she has stated that this petitioner along with two others took her forcibly to Muzaffarpur and left her at Muzaffarpur Railway Station. It has also been mentioned that the victim girl called the informant from Railway Police Station, but no case has been registered in this regard. From the written report itself, it appears that the informant has raised mere suspicion against this petitioner. The victim girl has also in her statement under Section 164 Cr.P.C. leveled general and omnibus allegation that this petitioner and others took her at Muzaffarpur Railway Station and left her there.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sitamarhi P.S. Case No. 812 of 2017 to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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