

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12363 of 2018

Arising Out of PS.Case No. -202 Year- 2017 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Mina Devi, wife of Ram Surat Sah
2. Ram Surat Sah, son of Nathuni Sah
Both residents of village Yogwaliya, P.S. Ramgarhwa, Distt. East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu,
Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Ramgarhwa**
P.S. Case No. 202 of 2017 instituted for the offence under
Sections 366A and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
victim girl on recovery has given statement under Section 164 Cr.
P.C. wherein she has not levelled any allegation of specific overt
act against these petitioners. She has stated that she was in love
affairs with Saroj Sah and has performed marriage with him.
These petitioners are said to be parents of Saroj Sah.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Ramgarhwa P.S. Case No. 202 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran**, 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) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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