

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34012 of 2018

Arising Out of PS. Case No.-74 Year-2017 Thana- SAHEBPUR KAMAL District- Begusarai

Gopal Yadav @ Gopal Kumar Yadav S/o Pramod Yadav, R/o Selma Diara,
P.S.- Sahebpur Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Sahebur Kamal P.S case
no. 74 of 2017 instituted for the offence under Section 363 and
366A/34 of the Indian Penal Code.

In the written report, it is alleged that minor daughter of the
informant had been kidnapped by the petitioner along with other
accused person as named in the written report. The victim girl has
appeared in the Court below and gave her statement under Section
164 Cr.P.C. wherein she has stated her age to be 20 years. The
Court has assessed her age to be 16 years. In the statement
recorded under Section 164 Cr.P.C. she has stated that she had
performed marriage with this petitioner. She has gone voluntarily
with this petitioner. She wanted to live with petitioner.



In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Sahebur Kamal P.S case no. 74 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 the ACJM-V, Begusarai 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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