

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44884 of 2018

Arising Out of PS.Case No. -31 Year- 2018 Thana -MAIRWA District- SIWAN

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1. Rahul Pandey S/o Nityanand Pandey, R/o Vill.- Kavita, P.S.- Mairwa,
Distt.- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Mairwa P.S.
Case No. 31/2018, instituted for the offences punishable under
Sections 363 and 366A/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the victim girl has stated in her statement recorded under Section
164 Cr.P.C. that she was in love with this petitioner and she had
voluntarily gone with this petitioner. In her statement under
Section 164 Cr.P.C., she has stated her age to be 22 years and the
court below has assessed her age to be 19 years.

Considering the facts and circumstances of the case,
the 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 Mairwa P.S. Case No. 31/2018, 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 the learned A.C.J.M. VII, Siwan, subject to the conditions as laid down under Section 438(2) of the 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 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 petitioner.

(Sanjay Priya, J.)

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