

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23926 of 2018

Arising Out of PS. Case No.-134 Year-2014 Thana- PAROO District- Muzaffarpur

Virendra Rai @ Birendra Rai, son of Banaras Rai, Resident of Village-
Phulwariya, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey
For the Opposite Party/s : Mr. Sri Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Paroo P.S. case no. 134
of 2014 instituted for the offence under Section(s) 363 and
366 of the Indian Penal Code.

It is submitted that there is no eye witness of the
occurrence. This petitioner has been implicated in this case due
to previous enmity on account of land dispute with the
informant. In the written report, it is alleged that informant had
married his daughter in the year 2011. He had brought his
daughter from Sasarual on 14.5.2014. It is further alleged that
on 02.06.2014 the informant went to attend the marriage in
Chapra. The daughter of the informant and daughter-in-law
were alone in the house. It is further alleged that on 3.6.2014



this petitioner and other accused persons had kidnapped his daughter.

The case diary has been received wherein the statements of two witnesses, namely, Rimjhim Devi and Priyanka Kumari are recorded in paragraph nos. 6 and 7 of the case diary. They have stated that they have seen the daughter of the informant talking with the petitioner and other accused persons. Learned counsel for the petitioner has submitted that daughter of the informant had intimacy with one Ramesh Kumar. Both are not available in village.

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 Paroo P.S. case no. 134 of 2014, 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 Sub-Judge 3rd cum Additional Chief Judicial Magistrate, West 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
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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