

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38314 of 2018

Arising Out of PS. Case No.-45 Year-2016 Thana- RAGHOPUR District- Vaishali

Nasim Nat @ Nasim Khalifa @ Nasib Nat, Son of Isaroyal Nat @ Isarail Khalifa @ Israil, resident of Villagle- Nawanagar, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Smt. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Raghopur P.S. Case No. 45 of 2016 instituted for the offence under Sections 363,366(A),370/34 of the IPC.

Learned counsel for the petitioner submits that victim girl has given her statement under Section 164 Cr.P.C. wherein, she has not levelled any specific allegation of overt act against this petitioner. In her statement she has stated that while she was going to school she met with Soni Khatoon who called one boy. Thereafter, the boy started taking away the victim girl on motorcycle. She started crying then he dropped her near gate of Sadar Hospital. The victim girl has taken the name of this



petitioner as a person who was taking her away on the motorcycle. It has further been submitted that compromise has also taken place between the parties, in support of which, document has been enclosed as Annexure-4 to this petition.

Learned counsel for the petitioner submits that other co-accused have already been granted anticipatory bail by coordinate Benches of this Court passed in Cr. Misc. No. 2430 of 2017 and Cr. Misc. No. 20660 of 2018 vide order dated 28.02.2017 and 26.04.2018 respectively.

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 Raghapur P.S. Case No. 45 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to condition as laid down u/S 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 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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