

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2191 of 2018**

Arising Out of PS. Case No.-130 Year-2016 Thana- KESARIA District- East Champaran

Bala Giri S/o Suresh Singh, R/o Village- Mathiya, P.S.- Kesariya, District-  
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma  
For the Opposite Party/s : Dr. Rabindra Kumar APP

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3     15-02-2018     Heard learned counsel for the petitioner and learned APP  
for the State.

Petitioner apprehends his arrest in Kesariya P.S. case no.  
130 of 2016 instituted for the offence under Section(s) 363,  
366A/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that  
victim girl in her statement recorded under Section 164 Cr. P.C.  
has stated that she has married with this petitioner and the  
same has been annexed as Annexure-2 to the bail petition  
wherein she has stated her age to be 20 years. The Court has  
assessed her age to be 18 years. The victim girl has specifically  
stated that she has voluntarily gone with the petitioner and  
performed marriage with him.

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 Kesariya P.S. case no. 130 of 2016, 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 11<sup>th</sup> A.C.J.M. 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) 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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