

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9927 of 2018

Arising Out of PS. Case No.-59 Year-2017 Thana- SARAI RANJAN District- Samastipur

AKHILESH KUMAR RAI @ AKHILEKH KUMAR RAI, Son of Maheshwar Rai, Resident of Village- Akhtiarpur, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. SRI RAM ANURAG SINGH

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Sarairanjan P.S. case no. 59 of 2017 instituted for the offence under Section(s) 363, 366A/34 of the Indian Penal Code.

As per the allegation in the written report, the minor daughter of the informant has been kidnapped. The informant learnt on next date that she was seen going with this petitioner. The victim girl, on recovery, has given statement under Section 164 of the Cr. P.C. wherein she has stated that she had gone voluntarily with this petitioner to Delhi and performed marriage with him. She has stated her age to be 21 years. The court has assessed her age to be 18 years.



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 Sarairanjan P.S. case no. 59 of 2017, G.R. No. 908/17 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 J.M. 1st Class, Samastipur, 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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