

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7337 of 2018**

Arising Out of PS.Case No. -133 Year- 2015 Thana -MOTIHARI MUFASIL District-  
EASTCHAMPARAN(MOTIHARI)

=====

Raj Kumar Das, S/o Vijay Das, Resident of Village- Malkauniya, P.S.-  
Mufasil, District- East Champaran.

.... .... Petitioner/s

Versus

. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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

2      27-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Muffasil P.S.**

**Case No. 133 of 2015** instituted for the offence under Sections  
363, 366-A and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that  
co-accused Manoj Ram with similar allegation has been granted  
anticipatory bail by a coordinate Bench of this Court vide order  
dated 28.09.2015 passed in Cr. Misc. 39194 of 2015. It has further  
been submitted that the victim girl has filed petition in the court  
below stating that she has married with Manoj Ram but in her  
statement recorded under Section 164 Cr. P.C. she has stated  
different version that this petitioner along with Manoj Ram and  
others took her on Tempo. There is no allegation of any specific



overt act against the petitioner in the statement of the victim girl recorded under Section 164 Cr. P.C.

Considering the facts and circumstances of the case, 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 **Motihari Muffail P.S. Case No. 133 of 2015**, 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 **learned Sub Divisional Judicial Magistrate, Sadar, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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