

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12766 of 2018

Arising Out of PS.Case No. -166 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Raja Baitha, S/o Jogi Baitha, R/o Village- Khutauna, P.S.- Patahi, District-
East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Indra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2018

Heard learned counsel for the petitioner and the State.

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

Case No. 166 of 2017 instituted for the offence under Sections
363, 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the statement of victim girl has been recorded under Section 164
Cr. P.C. which has been enclosed as Annexure-2. The victim girl
has stated in her statement recorded under Section 164 Cr. P.C.
that she had voluntarily gone with this petitioner and performed
marriage with him. In her statement she has stated her age as 19
years and the court has assessed her age to be 20 years.

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 **Patahi P.S. Case No. 166 of 2017**, 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 Additional Chief Judicial Magistrate-8th, East Champaran, Motihari**, 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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