

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41599 of 2018

Arising Out of PS.Case No. -49 Year- 2018 Thana -KATEYA District- GOPALGANJ

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1. Om Prakash Gond, S/o Late Chilar Gond ,
2. Vidyawati Devi W/o Om Prakash Gond,
3. Punita Kumari @ Punta Gond, D/o Om Prakash Gond, All R/o Vill.-
Bilahi, P.S.- Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioners as well as
the State.

The petitioners apprehend their arrest in Kateya P.S.
Case No. 49/2018 instituted for the offence under Section
366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the victim girl has given statement under Section 164 of the
Cr.P.C. in which she has not taken the name of the petitioner.

In the written report, it is alleged that the minor
granddaughter of the informant has been enticed away by Om
Prakash Gond (Petitioner No. 1) and Ankur Gond on the pretext of
marriage, in which mother (Petitioner no. 2) and sister (Petitioner



no. 3) of co-accused Ankur Gond are also involved.

Learned counsel for the petitioners has submitted that the victim girl had love affair with co-accused Mansoor Ansari and she had gone with him to Utrakhand with her own will. The statement of the victim girl recorded under Section 164 of the Cr.P.C. is enclosed as Annexure-2 in which she has not taken the name of the petitioner.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners are allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Kateya P.S. Case No. 49/2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XV, Gopalganj, subject to the conditions as laid down under Section 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) petitioners 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 petitioners and (3) if



petitioners tamper 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 petitioners.

(Sanjay Priya, J.)

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