

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48040 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- BODHGAYA District- Gaya

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Guddu @ Bachan Deo Kumar, S/o Nawal Kishore Prasad, Resident of
Village- Neema, P.S.- Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Bodh Gaya P.S. case
no. 13/18 instituted for the offence under Section(s) 14 of
Foreign Act, 1946 and Sections 3,5,6 and 7 of Immoral Traffic
Act, 1956.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. The name of this
petitioner has been taken by one Sarina Bibi W/o Jalal Sah
who was present in the hotel at the time of raid by the police. It
is further submitted that she has given her confessional
statement before the police in which she has not taken the name
of this petitioner rather taken the name of other accused
persons, namely, Mukesh Kumar, Suresh Thakur, Dhananjay



Kumar and Chhotu Kumar. But, in her statement under Section 164 Cr.P.C., she has taken the name of this petitioner. Both statements have been enclosed as Annexure(s)-2 and 3 to the petition. It is further submitted that Dhananjay Kumar and Suresh Thakur @ Mukesh Kumar have already been granted anticipatory bail by Co-ordinate Bench of this Court vide Cr. Misc. nos. 15800 of 2018 and 19371 of 2018 respectively.

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 Bodh Gaya P.S. case no. 13/18, 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 CJM Gaya or successor Court, 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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