

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45889 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- NIMCHAKBATHANI District- Gaya

Binay Chaudhary son of Jai Ram Chaudhary, resident of Village- Saren, P.S.-
Nimchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 31-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Nimchak Bathani P.S. case
no. 44 of 2018 instituted for the offence under Section(s) 366A of
the Indian Penal Code.

Learned counsel for the petitioner submits that victim girl has
stated in her statement under Section 164 Cr.P.C., which is available
at paragraph no. 24 of the case diary that Maruti Manjhi has got her
sit on the scooter. The brother of Vijay Manjhi was driving the
scooter. In this manner, there is specific allegation of taking her on
scooter against Maruti Manjhi and brother of Vijay Manjhi.

Learned counsel for the petitioner has submitted that this
petitioner has no concern with Maruti Manjhi or Vijay Manjhi.

In the written report there is allegation that the daughter of the
informant has been kidnapped by Maruti Manjhi. The informant
went to his house to enquire then this petitioner and other accused



persons abused the informant and told that his daughter has already performed marriage.

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 Nimchak Bathani P.S. case no. 44 of 2018, 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 ACJM 10th Gaya, 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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