

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38434 of 2019**

Arising Out of PS. Case No.-131 Year-2019 Thana- BRAHMPUR District- Buxar

1. BABAN RAM Son of Bhola Ram Resident of Village-Chatanawar Police Station-Krishna Brahm, District-Buxar.
2. Anuj Kumar Son of Baban Ram Resident of Village-Chatanawar Police Station-Krishna Brahm, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      12-07-2019                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 500, 509, 354(c) IPC and Section 66(c), 67 of the I.T. Act registered in connection with Brahmpur P.S. Case No. 131 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the accusations against them who happen to be father and son, is highly improbable. It is submitted that even earlier the informant had lodged Buxar Town P.S. Case No. 368/2018 under Section 366(A), 120(B) IPC in which the petitioner no. 1 has been granted anticipatory bail in Cr.Misc. No. 69314 of 2018 and petitioner no. 2 has been granted regular bail by this Court in Cr. Misc. No.69371 of 2018. The present FIR has been instituted merely to put pressure on the petitioners. The age of the victim girl has medically been assessed at 19- to 20 years and in her deposition under Section 164 Cr.P.C. she has clearly stated that she had been in love with petitioner no. 2 and has solemnised marriage with him. Except the aforesaid Buxar Town P.S. Case No. 368/2018, the petitioners claim clean antecedents.



4. Learned APP assisted by learned counsel for the informant appearing *suo motu* oppose the anticipatory bail petition.

5. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Buxar, in connection with Brahmpur P.S. Case No. 131 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/-

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