

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34075 of 2023

Arising Out of PS. Case No.-424 Year-2020 Thana- KESARIA District- East Champaran

MD REYAZ SON OF FIROJ MIYA RESIDENT OF VILLAGE-
GANESHPUR, PS- KESARIYA, DISTT- EAST CHAMPARAN ,
MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 None appear on behalf of the petitioner

The petitioner apprehends his arrest in connection with Kesariya P.S. Case No. 424 of 2020 for the offence punishable under Sections 366 A, 504, 506/34 of I.P.C. lodged on 23.10.2020 by the informant Faguni Sahani.

As per the prosecution story, the allegation is of illegally keeping the informant's daughter in the car and wanted solemnization of marriage with her.

As per the petition, the girl in her 164 Cr.P.C. statement has not supported the case.

Learned APP opposes the prayer.

Taking into account the aforesaid facts as also that the petitioner is 20 years old and do not have criminal antecedent,



this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned court of Additional Sessions Judge-VII-cum-Special Judge POSCO Act, Motihari, East Champaran in connection with Kesariya P.S. Case No. 424 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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