

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6283 of 2015

Arising Out of PS.Case No. -177 Year- 2012 Thana -SIMRI BAKHTIARPUR District- SAHARSA

=====

1. Sanoj Sharma Son of Late Dhaneshwar Sharma, Resident of Village -
Bhavdeva, Koshi Bandh 109 Kilometre O.P. Balwa, Hat, P.S. -
Bakhtiyarpur, District - Saharsa.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Amarnath Jha

For the Opposite Party : Mr. Ram Shankar Das(Spl.P.P.)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-03-2015

The petitioner has renewed his prayer for bail
in a case registered under Sections 366A/34 of the I.P.C and
Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

Accusation is kidnapping the minor daughter
of the informant and establishing forceful physical relationship.
The victim in her 164 Cr.P.C statement has also supported the
accusation.

Petitioner is languishing in custody since
19.09.2012.

From the impugned order of the learned Trial
Court, dated 16.09.2014, it appears that out of 15 charge-
sheeted witnesses 6 witnesses have been examined. The mother
of the victim being P.W. 5 has not supported the accusation
and has stated that victim of her own went of her maternal
uncle's house and she failed to supply the address of the victim

who after marriage is residing at Delhi. The aforesaid facts reflect that there is no likelihood of conclusion of trial.

Considering the fact that informant has not supported the accusation during trial and statement in para 3 of the petition that petitioner has no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Saharsa in connection with Bakhtiyarpur(Balwa Hat O.P.) P.S. Case No. 177 of 2012.

Learned Trial Court will be at liberty to cancel the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--