

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41757 of 2014

Arising Out of PS.Case No. -237 Year- 2012 Thana -DUMRA District- SITAMARHI

=====

1. Pankaj Sharma S/o Late Sone Lal Sharma @ Late Sonelal Thakur
Resident of Village Ketharia, P.S. Dumra, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 27-01-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 23.6.2014 in a case registered for the offences punishable under Sections 366,376 and 120B of the Indian Penal Code.

It is alleged that the petitioner and one Ranjan Paswan kidnapped the informant, took her to Delhi, established forceful physical relationship and one day she heard that she was going to be sold at Mumbai for rupees three lacs but any how she escaped and came to the parents' house.

It is submitted by the learned counsel for the petitioner that the statements of father in law and mother in law of the victim have been recorded in paragraphs 6 and 7 of the case diary which reflect that the victim conveyed to them in the month of January

that she is going to her mother's house and thereafter she did not return whereas the statement of independent witness in paragraph 28 of the case diary suggests that she eloped in January with one Kanjarwala Nat whereas the complaint stipulates the date of occurrence as 7th July to 15th August, 2012 for which complaint was lodged on 18.8.2012. It is further submitted that there is no injury report or 164 Cr.P.C. statement of the victim on record.

Considering the inconsistencies between the accusation and the statement of witnesses, particularly the father in law and mother in law of the victim, delayed lodging of the case and non - examination of the victim by the doctor, let the above named petitioner 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 CJM, Sitamarhi in connection with Dumra P.S. Case No.237 of 2012.

(Dinesh Kumar Singh, J)

Anil/-

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