

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28953 of 2014

Arising Out of PS.Case No. -394 Year- 2013 Thana -SAKRA District- MUZAFFARPUR

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Lakshmi Sharma, Son of Late Rijhan Sharma, Resident of Village - Chak
Ajmeri, Police Station - Sakra, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhakar Jha, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 08-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Sakara Police Station Case No. 394 of 2013 registered for the
offences punishable under Sections 366, 366(A) and 420/34 of the
Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, the married daughter of the informant was
kidnapped by the petitioner and other named F.I.R. accused and
further co-accused Rajan Sharma caused threats.

Submission is that as a matter of fact love affairs was
going on between the son of the petitioner and the daughter of the
informant and out of love she had gone herself with the son of the
petitioner but under pressure after release she gave statement

against the son of the petitioner under Section 164 Cr.P.C. but now the son of the petitioner and daughter of the informant are living together as husband and wife and to this effect compromise petition has been filed in the Court of C.J.M., Muzaffarpur and as such, the petitioner being father deserves sympathetic consideration. It is submitted that even, in the Statement under Section 164 Cr.P.C. of the victim, there is no specific allegation against the petitioner rather it is against the son of the petitioner to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that against the petitioner, there is no specific role rather he being only the father of Rajan Sharma has been made accused and as such the petitioner in case of his arrest or surrender within two months shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Sakra Police Station Case No. 394/2013, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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