

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5276 of 2016

Arising Out of PS.Case No. -813 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Hari Om Sharma Son of Sri Lachhuman Sharma resident of village –
Turkaulia Baswariya Tola, P.S. Turkaulia, District - East
Champaran..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Arbind Kr.Pandey(App)

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

ORAL ORDER

3 30-03-2016 Heard learned counsel for the petitioner and learned APP for
the Sate.

The petitioner seeks bail in connection with Turkauliya P.S.
Case No. 813 of 2015 registered for the offences punishable under
Sections366, 366A/34 of the Indian Penal Code.

Allegedly, Shalu Kumari aged 17 years, the daughter of
the informant, after receiving the call went away from the house and
became traceless and it is alleged that the petitioner and other co-
accused working in stitching centre have kidnapped her.

Submission is of false implication and that the petitioner
was apprehended on 29.11.2015 from his house, earlier to the petitioner
co-accused Ajay Sah was arrested on 28.11.2015 and both showed
ignorance, as a matter of fact the victim girl was having love affairs
with co-accused Perwej Ansari and that Perwej Ansari is still traceless
and he has called the victim girl from his mobile and as such the

petitioner who is suffering in custody deserves sympathetic consideration to which learned APP opposes by submitting that it is true that the petitioner and co-accused Ajay Sah have not confessed their guilt but one co-accused Jitendra Kumar has confessed his guilt and it has come that the petitioner also helped Perwej Ansari in taking away the victim girl.

In the facts and circumstances stated above, considering that no fruitful purpose is going to be served in detaining the petitioner in custody, the petitioner above named is directed to 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, East Champaran at Motihari in connection with Turkaulia P.S. Case No. 813 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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