

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19137 of 2017**

Arising Out of PS.Case No. -499 Year- 2015 Thana -BHAGALPUR KOTWALI District-  
BHAGALPUR

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Rajesh Sharma Son of Sri Sahdeb Sharma, resident of village - Barari, P.S.  
Barari, District - Bhagalpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Janki Nandan Prasad, Advocate.

For the Opposite Party/s : Mr. Shyam Kr. Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

ORAL ORDER

3      18-05-2017                      Heard both sides.

The petitioner seeks bail in Kotwali (Barari) P.S.

Case No. 499 of 2015 registered under Section 366A of the Indian  
Penal Code.

The informant alleged that his daughter went to  
school on 13.08.2015 but she did not return. The informant  
enquired from the friends of his daughter but they did not  
disclose anything. The informant disclosed that the call was made  
from mobile nos. 9572641134 and 9122390975. Rajesh Sharma  
is the holder of the aforesaid mobile numbers. The informant  
suspected that Rajesh Sharma (petitioner) kidnapped his minor



daughter.

Learned counsel for the petitioner submits that the victim made her statement under Section 164 of the Code of Criminal Procedure and she disclosed that the petitioner took her to Kolkata and the petitioner did not misbehave with her. An unknown lady brought her from Kolkata to Bhagalpur and dropped her. The victim herself went along with the petitioner, but later on she made allegation of kidnapping.

While opposing the prayer for bail, the learned APP submitted that the doctor assessed the age of the victim between 14 to 16 years, but the informant himself disclosed the age of the victim to be 18 years. It appears that the informant made allegation of kidnapping against the petitioner, but the victim made her statement that the petitioner took her on four-wheeler along with two persons and thereafter the petitioner took her to Bengal on train. The victim disclosed her age to be 18 years. It appears that the victim did not raise any objection while she was moving along with the petitioner.

Considering the facts aforesaid and the fact that the petitioner is in jail since 09.09.2016 and he has remained in jail for more than nine months, the above named petitioner is directed to be enlarged on bail on furnishing 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, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 499 of 2015.

**(Prabhat Kumar Jha, J)**

Mishra/-

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