

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9048 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -SC/ST District- ARRARIA

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1. UMESH DHARKAR @ UMOSH DHARKAR Son of Dhaneshwar
Dharkar, Resident of Village- Pothiya Ward No. 3, Police Station-
(Simraha) Forbesganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-04-2017 The petitioner is in custody since 15.09.2016 in
connection with Araria SC/ST P.S. Case No. 12 of 2016,
registered for offences punishable under Sections 366(A), 379,
120(B)/34 Indian Penal Code.

Allegation against the petitioner that he along with other
co-accused persons took away the informant's daughter along with
themselves on the pretext to receive money for Kanya Vivah and
forcibly married her with some other person.

It has been submitted on behalf of the petitioner that there
is only general and omnibus allegation against the petitioner and
in fact, he along with others took the girl for her marriage, for
which he has falsely been implicated in this case. Moreover,
another co-accused having similar allegation, has already been



granted bail by this Court vide order dated 08.02.2017, passed in Criminal Miscellaneous No. 47334 of 2016 and petitioner has been languishing in judicial custody since 15.09.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the aforementioned facts and circumstances, the period of custody and also that other co-accused having similar allegation has already been granted bail by this Court, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Araria in connection with Araria SC/ST P.S. Case No. 12 of 2016, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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