

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36776 of 2017

Arising Out of PS.Case No. -326 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Sonu Sharma Son of late Shankar Sharma Resident of Village- Sitalpur,
Police Station- Chakiya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bettiah Town
P.S. Case No. 326 of 2017 for offences punishable under Sections
363A, 364/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his 1½ year old son was lost while he had gone along with her
mother to the temple and after search could not be found. Four
accused persons have been named in the First Information Report.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and not
named in the First Information Report. In fact, 1½ year old son of
the informant was taken by her own Bhabhi Palak Kumari, who



has given her confessional statement in paragraph 25 of the case diary stating therein that the child was at his own uncle's house and was sent through the petitioner, dewar of the said Palak Kumari to his house. No overt act has been alleged to have been committed and the boy was given safely in the hands of the informant. Petitioner is languishing in judicial custody since 12.05.2017, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 326 of 2017.

(Nilu Agrawal, J)

Rajesh/-

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