

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39650 of 2017

Arising Out of PS.Case No. -114 Year- 2015 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Dharmendra Thakur Son of Binda Thakur, R/o Village- Dubey Tola
Madhubani, P.S.- Sangrampur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. S. Ehteshamuddin

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioner is languishing in judicial custody since
06.06.2017 in connection with Sangrampur P.S. Case No. 114 of
2015 for offences punishable under Sections 366-A, 372 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while his 16 year old daughter Shweta Kumari was returning
home after worshiping in the temple, the petitioner along with one
Laddu Ansari and 4-5 unknown persons kidnapped his daughter
with intention to marry or for the purpose of selling her.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case. He submits that the First Information Report has been lodged after three days of the alleged occurrence and no plausible explanation has been given for such delay. He further submits that statement of the victim girl under Section 164 of the Cr.P.C. has been taken after one year of the alleged occurrence, who has not alleged any overt act against the petitioner and other co-accused. It is further submitted that 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 stating therein that the minor daughter of the informant has been kidnapped by the petitioner and others.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate 14th, East Champaran at Motihari, in connection with Sangrampur P.S. Case No. 114 of 2015, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner and if the petitioner



indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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