

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7451 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -BAKHRI District- BEGUSARAI

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Ram Dular Sharma, son of Late Dakkan Sharma, resident of village
Hathman, P.S. Alauli, District Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 24-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
26.08.2016 in connection with Bakhri P.S. Case No. 148 of 2016
registered for the offence punishable under Sections 366(A)/34
of the Indian Penal Code.

The prosecution case is, as lodged by the informant,
is that his daughter was abducted by the accused persons named
in the First Information Report.

It has been submitted by the learned counsel for the
petitioner that he is innocent, in fact both are now married and
affidavit has been filed regarding said marriage, which is
Annexure-2 series and that charge has been framed on



04.04.2017 under Sections 366(A)/34 and 506/34 of the Indian Penal Code and Sections 7 and 8 of the POCSO Act and the matter is pending for trial.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the victim girl is a minor as assessed by the learned Magistrate and she has given an entirely different version in her statement under Section 164 of the Cr.P.C.

Considering the facts and circumstances and the materials on record and that charge has already been framed, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum- Special Judge (POCSO Act), Begusarai in connection Bakhri P.S. Case No. 148 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear on two



consecutive dates without assigning any reason will entail
cancellation of his bail bonds.

It is also made clear that the petitioner will not
induce or tamper with the evidence.

(Nilu Agrawal, J.)

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