

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43612 of 2017

Arising Out of PS.Case No. -280 Year- 2017 Thana -BUXAR District- BUXAR

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Omji Verma @ Om Verma Son of Late Barmeshwar Verma, R/o Village-
Old Thana Raoad, P.S.- Buxar (Town), District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 14-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
02.06.2017 in connection with Buxar Town P.S. Case No. 280 of
2017 for offences punishable under Sections 363, 366A, 504, 506
and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his 14 year old daughter Shivani Mishra has been abducted by
the petitioner and mother and sister of the petitioner also involved.

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 he used to take tuition and developed love affair and the victim girl had herself proposed to marry and they performed their marriage in a temple. He submits that the victim girl has also stated in her statement under Section 164 Cr. P.C. that she had gone with the petitioner out of own will and married him. He submits that last part of the statement under Section 164 Cr.P.C. is an afterthought where she wants to go to her parent's house. He submits that although her age has been assessed by the Magistrate as 14 year but as per the Adhar Card she is above 18 year of age and is major. He submits that no offence has been committed by the petitioner and 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.

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, Buxar in connection with Buxar Town P.S. Case No. 280 of 2017, subject to the condition that both



bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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