

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45928 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -THAWE District- GOPALGANJ

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1. Sonu Sharma, Son of Shri Jai Kishun Sharma, resident of Village- Usari,
P.S.- M.H. Nagar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in custody since 28.07.2017 in
connection with Thawe P.S. Case No. 149 of 2016 for offences
punishable under Sections 363 and 366(A) of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that his daughter, Pragati Pandey, aged 16 years went for coaching
but she did not return. It has been alleged that one boy always
used to ring in her mobile who kidnapped his minor daughter.

It has been submitted by the learned counsel for the
petitioner that he is innocent and he is himself student. He submits
that no overt act has been committed by the petitioner, he



has been falsely implicated and charge-sheet has already been submitted. He further submits that there is contradiction in the statement of the victim girl as she was recovered from her house and not by the police.

However, learned counsel appearing on behalf of the informant opposes the prayer for bail stating therein that the victim girl in her statement has alleged that the petitioner had abducted her but while she was at Bareilly the police has recovered her. Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Nilu Agrawal, J)

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