

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14637 of 2017

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

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Sonu Sharma Son of Jay Kishun Sharma Resident of Village: Usari Khurd,
P.S. M.H. Nagar, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramadhar Shekhar, Advocate.

For the Opposite Party : Ms. Pronati Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 04-07-2017 Heard both sides.

The petitioner apprehends his arrest in Thawe P.S. Case
No. 149 of 2016 registered for the offences punishable under
Sections 363 and 366(A) of the Indian Penal Code.

The father of the victim alleged that his daughter aged
about 16 years had gone to coaching but she did not return. A call
was received on the mobile of his daughter from mobile number
8434518115.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. During course of investigation
the victim was recovered and she made her statement under
Section 164 Cr.P.C. It is submitted that the victim is a major girl
and she has already been married. The victim, herself, went along



with the petitioner. It is further submitted that the petitioner filed supplementary affidavit stating the SMS and chat between the victim and the petitioner and the facts shows that the victim and the petitioner were in love with each other.

Learned counsel for the informant as well as learned APP opposed the prayer for bail and submits that the petitioner is a married man and he has already deserted his wife and wife of the petitioner lodged a case under Section 498A of the Indian Penal Code and this fact has been concealed by the petitioner in paragraph-3 of the bail petition.

It appears that the victim disclosed her aged to be 17 years in her statement recorded under Section 164 Cr.P.C. and the victim made specific allegation that the petitioner kidnapped her and took her to different places. The victim is a minor girl.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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