

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71 of 2018

Arising Out of PS. Case No.-22 Year-2013 Thana- MAHILA PS District- Jehanabad

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Gautam Kumar @ Gautam Kumar Sharma, son of Jay Bardhan Sharma @
Janardan Sharma, resident of village- Mahuari, P.S. + District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. SATYENDRA NARAYAN SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections
498A, 307, 342, 376/34 of the Indian Penal Code.

Allegation against the petitioner is that the petitioner took
away the informant at Ambala by making promise for marriage
and made physical relation with her.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 18.08.2017. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner was granted regular bail in the present case on
12.08.2016 by the court below. The petitioner could not appear
on the date fixed by the court below as he had no knowledge
regarding the same. The petitioner, being a daily wager, had
gone to Ambala for his livelihood. Hence, the court below



declared the petitioner to be a permanent absconder by order dated 18.01.2017. It is a case of misuse of bail for a period of eight months. The petitioner has already remained in custody for five months. It has further been submitted that the petitioner shall co-operate in the trial and appear on the date fixed by the court below.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge, Jehanabad in connection with Arwal Mahila P.S. case No.22 of 2013 arising out of Sessions Trial No.229 of 2016.

If the petitioner fails to appear in the court below on two consecutive dates, the court below will be at liberty to cancel the bail bond of the petitioner and proceed further in accordance with law.

Narendra/-

(Sudhir Singh, J)

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