

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40510 of 2018

Arising Out of PS.Case No. -64 Year- 2017 Thana -DUMARIA District- GAYA

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1. Brijnandan Sharma @ Binay Sharma son of Shree Mistri, resident of
Village- Bhangia, P.S. Dumaria, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhil, Adv.
Mr. Neerad Parashar, Adv.

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-09-2018 The petitioner is in custody since 16.05.2018 in
connection with Dumaria P.S. Case No. 64 of 2017, registered for
offences punishable under Section 364 of the Indian Penal Code.

Allegation against the petitioner is of abducting the
brother of the informant and later on he has been recovered and
his statement under Section 164 Cr.P.C. has been recorded.

Submission of learned counsel for the petitioner is that
in the statement recorded under Section 164 Cr.P.C., the abducted
victim has not named the petitioner in his statement. Further para
73 of the case diary shows that person has been recovered from his
own house. It has also been stated that earlier the son of the
informant has taken away the daughter of the petitioner, which is
clear from the statement of the villagers recorded during the



course of investigation. The petitioner is in custody since 16.05.2018.

Heard learned A.P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati, in connection with Dumaria P.S. Case No. 64 of 2017, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing



any genuine reasons, the prosecution is
free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

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