

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68204 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- KARJA District- Muzaffarpur

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Jitendra Kumar Sharma son of Santlal Sharma @ Santlal Thakur, Resident
of Village- Goraiya, P.S. Kudhani, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 366/34 IPC registered in connection with Karja P.S.Case No. 142 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged kidnapping of the daughter of the informant who is admittedly major as stated in the FIR itself, and in which various family members of the petitioner's side have been made accused.

4. Perusal of para 54 of the case diary containing the averments of the so-called victim girl discloses that she had voluntarily left home after having been forcibly married to a person by her parents and thereafter she went to Delhi where she met the petitioner with whom she has voluntarily solemnised marriage and has expressed her wish to continue residing with him. The petitioner claims clean antecedents.

5. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioner's arrest or



surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM Iind (West), Muzaffarpur in connection with Karja P.S.Case No. 142 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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