

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2229 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- DELHA District- Gaya

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Dhiraj Sharma, son of Sri Arvind Sharma, Resident of Village-Uchirma, Police Station-Sherghati, Distt.-Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since 13.09.2018 in connection with Delha P.S. Case No.98 of 2018 registered for the offences punishable under Section 366A of the Indian Penal Code.

Prosecution case as per the written report of Umesh Kumar submitted to Delha P.S. is to the effect that on 11.04.2018, the daughter of the informant Sandhya Kumar went to attend the coaching class but she did not return. During search on 13.04.2018, the informant received a telephone call from the petitioner conveying that he is going to marry the daughter of the informant and threatened that if he dares to lodge a complaint, then everybody will be killed.



It is submitted by learned counsel for the petitioner that the occurrence took place on 11.04.2018 and the FIR was registered on 16.04.2018 simple because the petitioner was in love with informant's daughter which is known to family members which reflects from the 164 Cr.P.C. statement also. During medical examination, no sign of rape has been found and her age has been assessed about 17-18 years. 164 Cr.P.C. statement depicts that the victim was in close contact with the petitioner since long.

Considering the delayed lodging of the case and statement reflects that the victim was in contact with the petitioner since long and was known to the family members of the victim girl, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-VII, Gaya in connection with Delha P.S. Case No.98 of 2018.

(Dinesh Kumar Singh, J)

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