

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78165 of 2018

Arising Out of PS. Case No.-141 Year-2018 Thana- SALAKHUA District- Saharsa

Subodh Kumar Sharma S/o Late Parmeshwari Sharma, R/o Vill.- Situaha,
P.S.- Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

For the Opposite Party/s : Mr.Sri Satyendra Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Salkha P.S. Case No. 141 of 2018 registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

Informant has alleged in her written complaint that in the evening while his son and daughter went to Salkhua Bazar for photo copies of the documents, in the meantime, petitioner along with other co-accused pushed his son and took her daughter for the purpose of marriage on a Sumo vehicle and fled away.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been



falsely implicated in this case due to village politics. The statement of victim has been recorded under Section 164 Cr.P.C. and she has denied the allegation made against petitioner and she stated that due to quarrel with her mother she left the house in anger and went to Mumbai and thereafter petitioner brought her back to Saharsa. Petitioner has no criminal antecedent and is in custody since 06.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Saharsa, in connection with Salkhua P.S. Case No. 141 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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