

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72197 of 2018

Arising Out of PS. Case No.-159 Year-1997 Thana- NATHNAGAR District- Bhagalpur

Ram Chandra Sharma son of late Lakshami Sharma, resident of Village-Harizan tola, Rajajan, P.S. Manshi, District-Khagaria, presently reside at Dumril Saharsa, P.S. & District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 10-01-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner is in custody in connection with S.T.
No. 733 of 2018 arising out of Nath Nagar P.S. Case No. 159 of
1997 for the offences under Section 364/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner has no criminal history.

Learned counsel for the petitioner submits that in
separate trial the Trial Court acquitted the co-accused. He
further submits that in the statement under section 164 Cr.P.C.
victim has not named the petitioner as associate of miscreants.
He submits that although the petitioner has not surrendered



earlier in the case registered in 1997 and the victim boy as well as girl has joined wedlock and as such the present case involving kidnapping for 'Pakarua' marriage is now irrelevant.

Considering the totality of the fact situation, the Court is inclined to grant bail to the petitioner, let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Learned Additional District Judge, 3rd, Bhagalpur in connection with S.T. No. 733 of 2018 arising out of Nath Nagar P.S. Case No. 159 of 1997 with the condition that petitioner will extend full cooperation in conclusion of the trial and in case without any cogent reasons if failed to appear before the Court below on the date fixed, the trial court would be at liberty to cancel the bail bonds of the petitioner.

(Anil Kumar Upadhyay, J)

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