

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10329 of 2020

Arising Out of PS. Case No.-2263 Year-2014 Thana- COMPLAINT CASE District- Araria

LAXMAN SHARMA @ LAKSHAMAN SHARMA Son of Late Swarup Lal Sharma @ Swrup Lal Sharma but as per Complaint his age has been given as 50 years, resident of village-Raghunathpur South, P.S-Bhargama, District-Araria. Petitioner

Versus

1. The State of Bihar
2. Kaili Devi w/o Prakash muriyari R/O Village- Raghunath pur South , P.S - Bhargana District – Araria Opposite Parties

Appearance :

For the Petitioner/s : Mr.Lilawati Singh
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-02-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Complaint Case No.2263C of 2014 for the offence under Sections 323 and 366A of the Indian Penal Code.

Mother of the victim is the complainant. The date of occurrence has been mentioned in the complaint petition as 01.08.2014, whereas the complaint case was filed on 04.08.2014. It is alleged in the complaint petition that all the three main accused persons, including this petitioner, kidnapped the complainant's daughter in a motorcycle when she and others were returning after visiting a local fair.

Learned counsel appearing on behalf of the petitioner has submitted that he is 72 years old and he has been



wrongly described in the complaint petition as 50 years old. He has submitted that the petitioner's son Leeladhar Sharma is more than 41 years old as on the date. According to him, several criminal cases have been filed by the family members of the complainant, some of which have been mentioned in paragraph 3 of the application. The parties are on litigating terms. He has also submitted that there is no explanation at all for lodging the complaint petition nearly three days after the date of occurrence and there is vague statement made in the complaint petition that no First Information Report could be registered as the Station House Officer was not present, when she had gone to lodge the First Information Report.

Considering the delay in lodging of the complaint petition and the fact that the parties are on litigating terms, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-Ist Class, Araria, in Complaint Case No. 2263C of 2014.

(Chakradhari Sharan Singh, J)

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