

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.21658 of 2021**

Arising Out of PS. Case No.-395 Year-2018 Thana- KHAGARIA District- Khagaria

BIJAY SHARMA SON OF RAJARAM SHARMA R/O VILLAGE-  
DHUSMURI BISHANPUR, P.S.- KHAGARIA (MUFASSIL), DISTRICT-  
KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwari No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

2      24-09-2021                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 366A and 34 of the Indian Penal Code.

As per the prosecution case, the allegations against the accused persons including the petitioner herein is of having taken the minor daughter of the informant who is a student of Intermediate for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and incorrect. The daughter of the informant who is aged 20 years returned and her statement was recorded under section 164 Cr.P.C. wherein she has categorically stated that she went out of her



own volition and married the petitioner. They have a child from the said marriage. The petitioner is in custody since 24.8.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the statement of the daughter of the informant under section 164 Cr.P.C. together with the petitioner having remained in custody for over one year, the petitioner is directed to be enlarged on bail in connection with Khagaria (Mufassil) P.S. Case no. 395 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria.

**(Partha Sarthy, J)**

Spd/-

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