

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37308 of 2020

Arising Out of PS. Case No.-94 Year-2020 Thana- BHARGAMA District- Araria

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DILSAGAR KUMAR S/o Mitan Sharma R/o village- Mahathawa, Ward No. 10, P.S.- Bhargama, District- Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 19.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Bhargama P.S. Case no. 94 of 2020, registered under Sections 363, 366-A, 504 and 506/34 of the Indian Penal Code.

The accusation is that on 17.06.2020, at bout 5.30 P.M., daughter of informant Dilip Kumar Shah, aged about 15 years, had gone to attend call of nature towards bamboo clamp, but, she did not return. Thereafter, wife of informant made search, but no trace was found. In the meantime, a lady of the



family, disclosed that, in the evening, Dilsagar Kumar (Petitioner) was seen roaming near the house. Thereafter, informant Dilip Sah went at the house of Dilsagar Kumar (Petitioner) and asked about Dilsagar Kumar to his brother Kundan Sharma and mother Chandana Devi on which Kundan Sharma became annoyed and told that Dilsagar Kumar (Petitioner) has kidnapped his daughter. On protest, they were adamant to cause assault.

Learned counsel for the petitioner submits that, in fact, due to love affairs, the daughter of informant moved with the petitioner and performed marriage at Shiv temple, Dharhara and this fact has come in the statement of victim, daughter of informant, recorded under Section 164 Cr.P.C., which would appear from page-13 and 14 of the petition. At the time of recording of statement, she has disclosed her age about 19 years and the Court has also assessed her age about 17 years. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of learned Sri Rajesh Ranjan,
J.M. 1st Class, Araria in connection with Bhargama P.S. Case
No. 94 of 2020 (G.R. No. 2109 of 2020), subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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