

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4076 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- ISMAILPUR District- Bhagalpur

KANHAIYA SHARMA SON OF KAILASH SHARMA R/O VILLAGE-
ISMAILPUR, P.S.- ISMAILPUR, DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-03-2021 Heard Mr. Nachiketa Jha, learned Counsel for the
petitioner and Mr. Nawal Kishore Prasad, learned Additional Public
Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of
Ismailpur Police Station Case No. 10 of 2020, disclosing offences
under Sections 363, 366(A)/34 of the Indian Penal Code.

The allegation, as per the First Information Report is
that the petitioner along with other accused persons abducted the
minor daughter of the informant.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged and
he has falsely been implicated in this case due to the fact that the
victim girl was having love affair with the petitioner and she had
left her house voluntarily and has performed marriage with the
petitioner in Nepal. Learned counsel referring to Annexure-2 which



is statement of the victim girl recorded under Section 164 Cr.P.C. submits that the victim girl in her statement before the learned Magistrate has specifically stated that she was in love with the petitioner for about one year and has performed marriage with him. Learned counsel further submits that the victim girl has disclosed her age before the learned Magistrate as 19 years. Learned counsel further submits that petitioner is in custody since 14.05.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the statement of the victim girl recorded under Section 164 Cr.P.C., I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Kanhaiya Sharma, 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 learned S.D.J.M., Naugachia, Bhagalpur, in connection with Ismailpur Police Station Case No. 10 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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