

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46394 of 2021

Arising Out of PS. Case No.-103 Year-2019 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. DILIP KUMAR SHARMA Son of Vishambhar Sharma Resident of Village - Kurtha, P.S. - Belaon, District - Kaimur at Bhabua.
 2. Nagendra Kumar Sharma Son of Badri Sharma Resident of Village - Kurtha, P.S. - Belaon, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 22-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered
for the offence punishable under Sections 366(A) of the IPC.

Allegation against the petitioners is that they have
abducted the daughter of the complainant.

It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.
They have been falsely implicated in this case. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioners is not specific rather
general and omnibus in nature. It is submitted that the petitioner



no.1 is the neighbour of the complainant and there is a prior dispute between the parties. It has come during investigation that the victim girl fled away on her own will with some other boy. It is mentioned in the supervision note at para-31 of the case diary that the victim fled away and married with a boy namely Rohit Kumar. This fact has also come in para-93 of the case diary. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no ample evidence against the petitioners of kidnapping the victim, let them, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bhagwanpur (Belaon) P.S. Case No.103 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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