

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54759 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- AMNAUR District- Saran

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Dhiraj Kumar Sharma @ Bottal Son Of Anil Sharma R/O Village- Amnour,
Harnarain, College Road, P.S.- Amnour, District- Saran At Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-03-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Amnour P.S.Case No. 35 of 2021 for the offences
punishable under Section 365 and 366 of the Indian Penal Code.

As per allegation in the F.I.R, informant's daughter
namely, Monika Kajal aged about 17 years had gone to the
market but she did not return then informant started searching,
during the search, he came to know that all the F.I.R named
accused persons including this petitioner had kidnapped the
daughter of the informant with intention to marriage.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. It is further submitted that victim was recovered and her statement was recorded under section 164 of the Cr.P.C in which she stated that she had left her house on her own sweet will. None of the co-accused persons have kidnapped her. Petitioner has got clean antecedent. He is in custody since 12.02.2021.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having considered the submission made on behalf of the petitioner and also the statement of victim recorded under section 164 of the Cr.P.C in which victim has categorically denied the involvement of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IX Saran at Chapra in connection with Amnour P.S. Case No. 35 of 2021, on the following conditions:

“(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates



without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail”

(Harish Kumar, J)

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