

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66276 of 2021

Arising Out of PS. Case No.-308 Year-2021 Thana- TEKARI District- Gaya

Manish Sharma @ Manish Kumar, son of Ravindra Sharma, Resident of
Village- Main, P.S- Main, Dist- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nagendra Sharma, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-05-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Parmanand Kumar, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Tekari P.S. Case No. 308 of 2021 registered
for the offences punishable under Sections 363, 366(A) of the
Indian Penal Code. He is in custody since 30.06.2021 having no
criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has
alleged that when he came home for lunch, he did not find his
daughter thereafter he searched his daughter but not found. On
25.06.2021 one villager shared a picture of his daughter on
whatsapp thereafter he lodged the present FI.R. for the offence



of kidnapping for marriage against the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the victim girl herself made statement under Section 164 Cr.P.C. that she married with this petitioner with her free-will and she expressed her desire to live with the husband (the petitioner).

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the 164 Cr.P.C. statement of the victim girl would show her age as 18 years and that she has stated to have gone with the petitioner on her own volition and solemnized marriage as also she wanted to stay with the petitioner as her husband, the petitioner above-named, who has remained in custody since 30.06.2021 having no criminal antecedent, is directed to release on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Tekari P.S. Case No. 308 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

