

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7755 of 2023**

Arising Out of PS. Case No.-157 Year-2021 Thana- VIDYAPATINAGAR District-
Samastipur

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SHARVAN KUMAR @ SHARVAN JHA SON OF BACHAA JHA @ RAM
SEVAK JHA R/O VILLAGE- MAU DHANESPUR, P.S.-
VIDYAPATINAGAR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 22-06-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Vidyapatinagar P.S. Case No. 157 of 2021 registered for the

offence under Sections 341, 323, 366, 504 and 34 of the

Indian Penal Code.

The daughter of the informant is stated to have

been kidnapped by the petitioner by enticing her and the

petitioner has demanded Rs. 5,00000/- for the release of the

victim.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. He



further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that the victim has been recovered and her statement was recorded under Section 164 Cr.P.C. in which she has denied the allegation levelled against the petitioner and not supported the prosecution version. Hence, no case of abduction is made out against the petitioner. The petitioner is rotting in judicial custody since 19.10.2022.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 A.C.J.M.-III, Dalsingsarai, Samastipur in connection with Vidyapatinagar P.S. Case No. 157 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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.

(Rajesh Kumar Verma, J)

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