

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20364 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- BAHERA District- Darbhanga

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Dharmendra Kumar Jha @ Dharmendra Jha @ Markendey Jha Son Of Anil Kumar Jha @ Anil Jha Resident Of Village - Antaur, P.S.- Bahera, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Advocate

For the Opposite Party/s : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 641 of 2022 (arising out of Bahera P.S. Case No. 258 of 2022) dated 18.06.2022, instituted for the offence punishable under Sections 366(A), 34 of the Indian Penal Code.

3. The prosecution story in short is that, the informant's minor daughter namely Anjana Kumari went to Benipur for taking tuition from her village Antaur. When the informant's daughter did not return to her home timely then informant tried to search but could not trace her. It is further alleged against Vishal Kumar that along with other accused persons have conspired to abduct by seducing her to get



married.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he is falsely implicated in this case. It is further submitted that the F.I.R. has been lodged against all the family member of the petitioner. It is further stated that other similarly situated accused persons namely, Suneeta Devi and Anil Kumar Jha have been granted anticipatory bail on 25.01.2023 by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 56936 of 2022 wherein it is stated that the main allegation is against the co-accused namely, Vishal Kumar. Learned counsel for the petitioner further submits that the alleged victim girl in her statement made under Section 164 of the Cr.P.C. has stated that she was not forced to make sexual intercourse with another person. He has further submitted that when the informant was at the railway station of Samastipur, she did not raise any alarm about the said occurrence. Lastly, it has been submitted that the petitioner is in custody since 20.07.2022 having no criminal antecedents and charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st, Benipur, Darbhanga in connection with Sessions Trial No. 641 of 2022 (arising out of Bahera P.S. Case No. 258 of 2022).

(Khatim Reza, J)

Sankalp/-

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