

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56067 of 2022

Arising Out of PS. Case No.-199 Year-2022 Thana- NAUBATPUR District- Patna

PAWAN SHARMA @ PAWAN KUMAR S/o Karu Sharma @ Dharmendra
Sharma @ Dharmendra Singh R/O Village- PALI P.S.- NAUBATPUR,
DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Naubatpur P.S. Case No. 199 of 2022 instituted under
Sections 363/366(A) of the IPC.

As per the prosecution story, the father of the victim
girl gave written complaint stating that his daughter, Kajal
Kumari was missing and upon inquiry, it came to his
knowledge that Mangal Sharma and the petitioner, Pawan
Sharma took away his daughter. Subsequently, the girl returned
on 7.4.2022 and made statement under Section 161 of the
Cr.P.C. stating that she went to Hartali Mor, Patna and from
where they went to Banaras and solemnized marriage with



Sunny (Mangal Sharma) and further went to Delhi and later returned Patna and presented herself before the police.

Subsequently, her statement was recorded under Section 164 of the Cr.P.C. where she gave a different statement alleging that she was abducted by both the accused persons, the petitioner included.

However, once again, she took a U-turn as would reflect from Annexure-3 when she appeared before the learned Court of ACJM-III, Danapur on 13.6.2022 and stated that she is being assaulted by her parents, although she had married Sunny Kumar on her own and she went to live with him. Further statement was that she may be killed by her parents and accordingly, she was sent to Child Welfare Committee, Patna.

Taking into account the fact that the petitioner is a young boy, he do not have criminal antecedent and the girl has made three different statements and in her last statement, she has once again reiterated that she married Sunny on her own and do not want to live with her parents and was subsequently sent to Child Welfare Committee, Patna, it would not be proper to send him to jail with criminals-accuseds and accordingly, his prayer for anticipatory bail is allowed with conditions.

Let the petitioner be released on bail, in the event of



his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Naubatpur P.S. Case No. 199 of 2022 to the satisfaction of learned ACJM-III, Danapur (Patna), subject to the conditions as laid down under Section 438(2) of the Cr.P.C with further conditions :

(i) the petitioner(s) shall be visiting the concerned police station for next six months every fortnight;

(ii) the petitioner(s) shall co-operate in the investigation and made himself available to the police as and when required.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

U		T	
---	--	---	--

