

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24625 of 2024

Arising Out of PS. Case No.-118 Year-2015 Thana- JALE District- Darbhanga

Raj Kumar Sharma S/o Ganesh Sharma R/o vill and Post - Reodha, P.S -
Jaley, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 363, 366(A)/34 of the IPC in connection with Jaley P.S. Case No.118 of 2015.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his minor daughter had gone to a tailor at Shankar Chowk along with her nighbour Neelam Devi to bring some cloth, but when she did not return the informant went to the house of Neelam to ask about the where about of her daughter when she disclosed that they got separated in the market as her daughter said that she has to get some photographs clicked. Thereafter, hectic search was made, but then the victim was not



found and the informant came to know that Chandan Kumar Sharma and her daughter used to same coaching classes and recently their behaviour seems suspicious, thereafter it is alleged that he also came to know that Chandan enticed her daughter and took her away for the purposes of marriage in which he was helped by petitioner and Sanjeet.

4. The learned counsel submits that police after threadbare investigation came to a considered conclusion that petitioner has been falsely implicated in the instant case and thus submitted final form. It is next submitted that the learned Magistrate differing with the police report took cognizance, but then the petitioner was not aware whether cognizance has been taken or not as no summons was served, but recently when the police knocked door of the petitioner informing him that he is required in the instant case based on cognizance, the instant anticipatory bail application has been filed.

5. The learned counsel submits that when one investigating agency based on threadbare investigation came to a considered conclusion that petitioner is innocent whether it would be prudent for this Court to send the petitioner to jail based on an order of cognizance which was taken based on the same investigation which found the petitioner to be innocent.



6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., I, Darbhanga in connection with Jaley P.S. Case No.118 of 2015, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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