

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26225 of 2024**

Arising Out of PS. Case No.-512 Year-2023 Thana- BANMANKHI District- Purnia

DULARCHAND SHARMA SON OF RAMESH SHARMA RESIDENT OF
VILLAGE - DHIMA WARD NO.11, POLICE STATION - BANMANKHI,
DISTRICT - PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 29-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in
connection with Banmankhi P.S. Case No. 512 of 2023, registered for
the offences punishable under Sections 363, 365, 366(A)/34 of the
Indian Penal Code.

3. As per allegation, On 23.11.2023, the daughter of the
informant went to the bamboo orchard east side from his house to
defecate, from where she did not return. During search, the informant
came to know that the petitioner along with other co-accused persons
kidnapped his daughter and hid her somewhere.

4. Learned counsel for the petitioner submitted that
paragraph no. 37 of the case diary reveals that the victim and the
petitioner were seen near bus stand. In para-39, it has been



mentioned that when both were arrested the victim stated to the Investigating Officer that she had gone with the petitioner. This fact shows that there was love and affection between the petitioner and the victim. It has further been submitted that in duress and pressure of her parents the victim rendered her statement under Section 164 of the CrPC. His further submission is that no sign of sexual assault was found in Medical Report.

5. On the other hand, learned APP, Shri Shailendra Kumar opposed the prayer for bail but fairly admitted that the victim and the petitioner both were found from the bus stand, Banmankhi.

6. Considering the above-mentioned facts and circumstances and also considering the period of custody since 29.11.2023, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Banmankhi P.S. Case No. 512 of 2023, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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