

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27229 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- PANJWARA District- Banka

1. Nityananda Sharma Son of Kacho Sharma R/o Village- Vishwakarma Dhauri, P.S.- Belhar, District- Banka
2. Rinku Devi W/o Nityanand Sharma R/o Village- Vishwakarma Dhauri, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diksha Kumari
For the Opposite Party/s Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Panjwara P.S. Case No. 39 of 2023 lodged on 09.03.2023 for offences punishable under Section 366A and 34 of the Indian Penal Code.

3. As per the prosecution story F.I.R. has been lodged against seven named accused persons including the present petitioners with an allegation that they all in connivance with each other kidnapped the daughter of the informant with a view to marry who is minor.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has committed no offence. He further submits that petitioner has clean antecedents. He submits



that from the rejection order, it transpires that the alleged victim has been recovered and in her statement under Section 161 and Section 164 of the Cr.P.C., she had not alleged any adverse against the petitioner rather she has stated that she is living happily and her marriage has been solemnized with the one Nebrat Sharma and she claimed herself to be major by virtue of school transfer certificate. Counsel submits that since the alleged victim and the petitioner's belong to different caste due to which informant was opposing from the marriage.

5. Learned APP for the State opposes the prayer for bail.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs. 30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Banka subject to the condition as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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