

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6206 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Ramji Sharma @ Ram Sharma S/O RAMSWARUP SHARMA R/O VILL-
MADHUWAN, WARD NO 5, P.S. SIMRI BAKHTIYARPUR, DIST-
SAHARSA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Dinesh Maharaj, Advocate
For the Opposite Party/s :	Mr. Mithlesh Kumar Khare, APP
	Mr. Raja Surendra Mohan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Simri Bakhtiyarpur P.S. Case no.370 of 2023 registered under sections 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the informant states that the accused persons including the petitioner herein kidnapped his minor daughter and have hidden her. They also abused her.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the father of co-accused Ramesh Sharma with whom the daughter of the informant was on



friendly terms. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C wherein she has not made any allegation against this petitioner. The petitioner is in custody since 25.8.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but there is direct allegation against him of having actively participated in kidnapping of the minor daughter of the informant.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the statement of daughter of the informant recorded under section 164 Cr.P.C wherein she has stated that she went with the son of the petitioner namely Ramesh Sharma out of her own freewill, married him and is in the family way together with the fact that she did not even named the petitioner in her entire statement under section 164 Cr.P.C, the petitioner having remained in custody for 7 months since 25.8.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Simri



Bakhtiyarpur P.S. Case no.370 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa.

(Partha Sarthy, J)

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