

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2842 of 2024

Arising Out of PS. Case No.-224 Year-2022 Thana- GOPALPUR District- Gopalganj

Deepak Sharma @ Dipak Sharma Son of Jaiprakash Sharma R/o vill -
Bhagwanpur, P.S. - Tariyasuzan @ Tarya Sujan, Distt. - Kushinagar, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate
For the Opposite Party/s : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner; learned
A.P.P. for the State and learned counsel for the victim.

2. The petitioner apprehends arrest in connection with
Gopalpur P.S. Case No. 224 of 2022, dated 09.11.2022,
instituted for the offence punishable under Sections 363 and 366
(A) of the Indian Penal Code.

3. The prosecution case, in short, is that, sister of the
informant namely, Anjali Kumari was going for her studies
when all the petitioner along with other accused persons
kidnapped her and brother of the Deepak Sharma called the
informant on his mobile that they are going to sell his sister.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the marriage was solemnized between the petitioner and the victim girl on 07.11.2022 but the F.I.R. was lodged on 09.11.2022, which casts serious doubt on the case of prosecution. Learned counsel further submitted that age of the sister of the informant is 20 years which is evident from the marriage certificate and Aadhar Card and both the parties are major and they have solemnized their marriage out of their own sweet will. It is further submitted that according to the victim girl statement under Section 164 Cr.P.C., she has not supported the case of the prosecution and held that she had married to the petitioner on her own will and living peacefully. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Gopalpur P.S. Case No. 224 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
A.C.J.M.-V, Gopalganj, subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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