

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53504 of 2025

Arising Out of PS. Case No.-258 Year-2024 Thana- CHAUSA District- Madhepura

Dhodhai Sharma @ Girish Sharma S/O Late Kisho Sharma R/o - Arajpur
Sonbarsa, P.S - Chausa, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Sanjay Kumar Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Chausa
P.S. Case No. 258 of 2024 registered for the offence punishable
under Sections 96 of the B.N.S., 2023.

3. The case of the prosecution is that an F.I.R. was
lodged on 19.10.2024 at 10.40 hours on the basis of written
statement of the informant Rohit Kumar. In the FIR, it has been
alleged that on 14.10.2024, the informant alongwith his family
members was sleeping and at about 12.00 hours in the night, the
daughter of the informant namely Usha Kumari aged about 16
years went out of the house for call of the nature and did not
return. Thereafter, the informant started searching her. During
the course of search the informant came to know that Paramjeet



Kumar, Dhodhai Sharma alias Girish Sharma (petitioner), Ranju Devi, Gopal Sharma and Soni Devi have kidnapped her daughter for marriage by inducing her. It is due to this reason that there has been delay in lodging the FIR on 19.10.2024.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been implicated merely on suspicion due to village politics. The petitioner has no criminal antecedent. He also emphasizes that although as per the FIR, the alleged incident took place on 14.10.2024 but the FIR has been lodged on 19.10.2024 and it was produced before the learned Court below on 21.10.2024. The delay in lodging of the FIR has not been explained. He further submits that in the impugned order, it has been recorded that the victim girl herself appeared before the police on 23.10.2024 and on 24.10.2024, she gave her statement recorded under Section 183 of B.N.S.S. in which she has herself admitted and stated that on 14.10.2024, due to anxiety she had gone to her Fuaa's house at village Navtol and nobody had kidnapped her. Learned counsel further submits that the charge-sheet has already been filed and there is no chance of tampering with the evidence. He further submits that the petitioner is a man of means and there is no chance of his absconding, if he is released on bail. He further submits that the



petitioner is ready to abide by the conditions which may be imposed by this Court.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. Considering the fact that the petitioner has no criminal antecedent and that there is no explanation for delay in lodging of the FIR and further taking note of the fact that in the impugned order itself, it has been recorded that the victim girl in her statement recorded under Section 183 of B.N.S.S. has stated that she had gone to her Fuaa's house at village Navtol and nobody had kidnapped her and also coupled with the fact that the charge-sheet has already been filed and the petitioner is in custody since 20.03.2025, for all these reasons, this Court is inclined to grant privilege of bail to the petitioner. The petitioner above named, is directed to be released on bail 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 court below where the case is pending/successor court in connection with Chausa P.S. Case No. 258 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.



(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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