

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23539 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

- =====
1. Santosh Manjhi son of Umesh Manjhi,
 2. Umesh Manjhi, Son of Chandra Manjhi,
both resident of village- Prasdih, P.S. Nagarnausa, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Arvind Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-05-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking bail in
connection with Nagarnausa P.S. Case No. 7 of 2016 registered
for offences under sections 363, 366(A) of the Indian Penal Code.

An allegation has been made in the First Information
Report that the victim girl was kidnapped for the purpose of
marriage where both the petitioners, who are father and son,
assisted in the same.

Learned counsel for the petitioners has submitted that
as per statement made by the girl, no specific allegation has been
levelled against the petitioners. There is an allegation against one

Dharmendra Manjhi who has seriously assaulted her and taken her to the village in Haryana where she was kept for eight days. Learned counsel for the petitioners has submitted that the victim girl herself went to the police station and made her statement before the police. Later on, the statement under Section 164 Cr.P.C. was recorded and it appears unnatural that the father and son both will assist in commission of crime of kidnapping for the purpose of marriage as the main accused in the case is Dharmendra Manjhi against whom allegation has been made to have established physical relationship forcibly with the victim.

Looking to the facts and circumstances of the case, let the petitioners, namely, Santosh Manjhi and Umesh Manjhi, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Hilsa (Nalanda) in connection with Nagarnausa P.S. Case No. 7 of 2016.

(Shivaji Pandey, J)

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