

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.12735 of 2016**

Arising Out of PS.Case No. -149 Year- 2015 Thana -ISUAPUR District- SARAN

Kishore Kumar Manjhi

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Smt. Anuradha Singh, Advocate

For the Opposite Party/s : Mr. A.L. Pandit (App)

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      24-05-2016                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner is languishing in jail custody since  
11.11.2015 in a case registered for offences punishable under  
Sections 366 (A)/34 of the I.P.C.

The prosecution case as lodged on the basis of  
written statement of one Usha Devi on 10.11.2015 to O.C.,  
Isuapur P.S. alleging therein that the petitioner kidnapped her  
daughter at about 2 A.M. for the purpose of marriage.

It has been submitted by the learned counsel for the  
petitioner that the petitioner is innocent and although, the victim  
girl was recovered one day after the alleged date of occurrence but  
her statement has been recorded under Section 164 of Cr. P. C.  
after eight days and no overt act has been alleged to have been

committed by the petitioner.

It has further been submitted by the learned counsel for the petitioner that the petitioner has clean antecedent and as per medical report, it has been found that the age of the victim girl is about 17-18 years and she is habituated to intercourse and the allegations against the petitioner are false and concocted.

On the other hand, the learned A.P.P. submits that the petitioner along with co-accused had kidnapped the minor girl and are named in F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the medical report states that the victim girl is about 17 to 18 years old and was habituated to intercourse and considering the period of custody, the above named petitioner, Kishore Kumar Manjhi is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Isuapur P.S.Case No. 149/2015.

**(Nilu Agrawal, J)**

Sudha/-

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