

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44857 of 2016

Arising Out of PS.Case No. -54 Year- 2016 Thana -JAMOBABAZAR District- SIWAN

- =====
1. Anita @ Anita Kumari
 2. Mamita@Manto Kumari
 3. Ramita @Anjali @Ramita Kumari All D/o Biresh Manjhi
 4. Swanti Devi Wife of Biresh Manjhi Petitioner 1 to 4 resident of Village-Khoripakar , P.S. Jamo Bazar , District Siwan.
 5. Ranjeet Manjhi Son of Kishun Manjhi
 6. Nitu Devi Wife of Ranjeet Manjhi petitioner no. 5 & 6 resident of Village - Jaffartola Dewanpur, P.S.- Manjha Garh, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Nagendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-01-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jamo Bazar P.S. Case No. 54 of 2016 for the offences punishable under sections 304-B and 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that petitioner nos. 1 to 3 are un-married Nanads (sister-in-law) of the victim girl, petitioner no. 4 is mother-in-law and petitioner nos. 5 and 6 are maternal uncle and aunt of the victim girl i.e. grand daughter of the informant. It has been further submitted that



except suspicion, there is nothing in this case and, as a matter of fact, the victim girl herself escaped from the house and the petitioners have no knowledge about the same. Further submission of the learned counsel for the petitioners is that no specific allegation has been attributed against any of the petitioners in this case.

Heard learned A.P.P. also who has opposed the prayer for anticipatory bail and further submitted that there is no trace of the victim girl in this case.

Having heard both sides and from perusal of the record it appears that no specific allegation has been attributed against any of the petitioners. So far petitioners no. 1 to 3, namely, Anita @ Anita Kumar, Mamita @ Mamta Kumari and Ramita @ Anjali @ Ramita Kumari are concerned, they are Nanads. A plea has been taken before the court below on their behalf that they are juvenile. In this view of the matter, learned counsel for the petitioners seeks permission to withdraw this application for grant of anticipatory bail as against petitioner nos. 1 to 3 to enable them to move the appropriate Juvenile Justice Board concerned. Prayer is allowed. This application is permitted to be withdrawn as against petitioner nos. 1 to 3 only.

So far as other petitioners are concerned, as I have



stated above, petitioner nos. 5 and 6, namely, Ranjeet Manjhi and Nitu Devi are maternal uncle and aunt-in-law of the victim girl and they are not the direct family members of the victim girl, they, in the event of their arrest or surrender in the court below within a period of four weeks from today, shall be enlarged 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 Shri A. K. Gupta, Judicial Magistrate, 1st Class, Siwan in connection with Jamo Bazar P.S. Case No. 54 of 2016 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973 with further condition that they will cooperate in the investigation of the case and shall make themselves available before the police as and when required.

So far as petitioner no. 4, namely, Swanti Devi is concerned, she, in the event of arrest or surrender in the court below within four weeks from today, shall also be enlarged on provisional bail till the submission of the charge-sheet on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri A. K. Gupta, Judicial Magistrate, 1st Class, Siwan in connection with the aforesaid case subject to condition that she will cooperate in the investigation and shall make herself available before the police as



and when required . After the charge-sheet is submitted against petitioner no. 4, she will surrender in the court below and pray for regular bail which will be decided on the basis of the materials available in the case diary at that stage.

(Vinod Kumar Sinha, J)

Amin/-

U			
---	--	--	--

