

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1513 of 2017

Arising Out of PS.Case No. -137 Year- 2015 Thana -KAUAKOL District- NAWADA

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Baishakhi Manjhi, son of Mahgu Manjhi, resident of Village- Bhagwanpur,
P.S.- Silao, Dist- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kawakole P.S.
Case No.137 of 2015 registered under Section 363 and, later on, added
Section 364 of the Indian Penal Code.

Regarding the missing of Pinki Devi, the minor sister of the
informant, the present case was lodged on 16.11.2015.

Learned counsel appearing on behalf of the petitioner submits
that, in fact, Pinki Devi, the sister of the informant, who is major,
moved from the house according to her own sweet will with this
petitioner and performed the marriage with this petitioner at Biharsharif
and from there, both went to Hariyana and started to do the work of
labourers at brick kiln and after finishing the work at brick kiln, both



returned to the house but on the pressure of the family members, Pinki Devi, the sister of the informant, gave her statement under Section 164 of the Code of Criminal Procedure on 23.08.2016 to the effect that she was forcibly taken away by this petitioner and was kept by him in the house of his uncle and, thereafter, this petitioner performed the marriage with her at Biharsharif and from there, she was taken by this petitioner to Hariyana. Moreover, the age of Pinki Devi, the sister of the informant, has been assessed as 18 years at the time of recording of her statement under Section 164 of the Code of Criminal Procedure by the Judicial Magistrate. The petitioner is in custody since 24.08.2016.

Having regard to the facts and the circumstances of the case, 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 Additional Sessions Judge-V, Nawada, in connection with Sessions Trial No.515 of 2016/720 of 2016, arising out of Kawakole P.S. Case No.137 of 2015.

(Rajendra Kumar Mishra, J)

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