

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38576 of 2018

Arising Out of PS. Case No.-3 Year-2018 Thana- MAHILA PS District- Jehanabad

Babloo Manjhi SON OF LATE Biraju Manjhi resident of village Babhana
(Durga Sthan), P.S. & District Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
07.03.2018 in connection with Jehanabad Mahila P.S. Case No.
03 of 2018 registered for the offence punishable under Sections
341, 342, 376 and 511/34 of the Indian Penal Code and Sections
8/12 of the POCSO Act.

The prosecution case, as lodged by the victim girl
aged 12 years, is that while she had gone outside her house to
bring water, the petitioner along with three others took her away
in a school premises and tried to commit rape. On hulla, her
father came and the petitioner along with other co-accused fled
away.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and no overt act has been committed by him. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 03 of 2018, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two



consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds. ,

(Nilu Agrawal, J.)

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