

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1834 of 2019

Arising Out of PS. Case No.-126 Year-2017 Thana- LAXMIPUR District- Jamui *

Raushan Kumar Manjhi @ Raushan Manjhi Gonu Manjhi Resident of Village
- Mahanpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 28-03-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 28.08.2018 in
connection with Laxmipur P.S.Case No. 126 of 2017 registered
under section 366(A) of the Indian Penal Code.

Petitioner is named in the first information report and
in course of investigation, the victim was caught by the police
which is evident from perusal of Para-14 of the case diary and
the statement of victim was recorded under section 164 of the
Cr.P.C in which she claimed that she was taken away by the
petitioner and others at different places and petitioner sold her to
women but having got opportunity she eluded from the clutches
of the petitioner and others. The victim disclosed her age as 16



years but the learned Magistrate as well as concerned doctor found her age about 17 years. Police after due investigation, submitted charge sheet under section 366A and 376 of the Indian Penal Code. Learned counsel for the petitioner submits that the victim was in love with the petitioner and as a matter of fact, she herself eloped with the petitioner and subsequently, when the petitioner and victim learnt that the father of the victim has lodged criminal case against the petitioner, the victim and petitioner came to their village and subsequently, the victim was caught by the police and, thereafter, she under pressure of her parents and police gave false statement under section 164 of the Cr.P.C. He further submits that moreover, the victim is more than 17 years and, therefore, in the aforesaid circumstance petitioner should be released on bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that petitioner is in jail custody since 28.08.2018 and the investigation against the petitioner has already been completed, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-III, Jamui in connection with Laxmipur P.S.



Case No. 126 of 2017.

(Hemant Kumar Srivastava, J)

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