

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23516 of 2019**

Arising Out of PS. Case No.-47 Year-2018 Thana- JIRADEI District- Siwan

Manjee Thakur @ Manjee Kumar Thakur S/o Pradeep Thakur R/o village-
Gangauli, P.S.- Ziradei, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gyan Prakash with Mr. Naresh Prasad, Advocates
For the Opposite Party/s :		Mr. Md. Arif, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 25-07-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Ziradei PS Case No. 47 of 2018 dated 02.07.2018 instituted
under Sections 366A/120B of the Indian Penal Code.

3. The allegation against the petitioner and three others
is of abduction of the grand daughter of the informant for the
purpose of marrying her.

4. Learned counsel for the petitioner submitted that the
date of incident has been shown in the FIR as 01.06.2018
whereas the FIR has been lodged on 02.07.2018. It was
submitted that the so called victim girl had filed a complaint
before the Superintendent of Police, Sitapur in the State of Uttar



Pradesh on 20.09.2018 against nine named accused, all residents of Sitapur, in which the petitioner was not even named. It was submitted that the said complaint was with regard to the victim being taken by some ladies and then sold to one Sarvesh and also that she was forced to exchange garlands with him. Learned counsel submitted that Sitapur police had informed the police at Siwan who had gone and brought the girl to Siwan where her statement under Section 161 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the 'Code') was recorded in which she has stated that because of being beaten up by her father she had run away and that the accused in the FIR had no role to play in her going away. Learned counsel submitted that she was then handed over to her parents and, thereafter, surprisingly on 04.10.2018 in her statement before the Court recorded under Section 164 of the Code she has named the accused and others of having committed various acts which are punishable under the Indian Penal Code.

5. Learned APP, upon going through the case dairy, was not in a position to controvert the statement of the girl recorded by the police under Section 161 of the Code.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event



of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in Ziradei PS Case No. 47 of 2018, subject to the conditions laid down in Section 438(2) of the Code.

(Ahsanuddin Amanullah, J)

Anjani/-

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