

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48822 of 2019

Arising Out of PS. Case No.-44 Year-2018 Thana- NIMCHAKBATHANI District- Gaya

1. KESHAR MANJHI Son of Late Prmeshwar Manjhi Resident of Village-Saren, P.S.-Nimchak, Bathani, District-Gaya.
2. Ajay Manjhi Son of Keshar Manjhi Resident of Village-Saren, P.S.-Nimchak, Bathani, District-Gaya.
3. Vijay Manjhi Son of Keshar Manjhi Resident of Village-Saren, P.S.-Nimchak, Bathani, District-Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Nimchak Bathani P.S. Case No. 44 of 2018 registered for the offence punishable under Section 366A of the Indian Penal Code.

Prosecution story as per FIR is that minor daughter of the informant was kidnapped by co-accused Maruti Manjhi and when informant came to inquire about her he was assaulted and abused by petitioner No.1 and others. It further appears that the victim girl has named all the petitioners in her statement under Section 164 Cr.P.C..

Submission of learned counsel for the petitioners is that FIR itself shows the name of one Maruti Manjhi in the kidnapping of her though she has named all the petitioners in her statement under



Section 164 Cr.P.C. but no specific allegation has been attributed against them and her statement also disclosed that accused persons have land dispute with her father. Further submission is that one of the co-accused Binay Chaudhary, who has also been named in her statement under Section 164 Cr.P.C. has been granted bail by a co-ordinate Bench of this Court vide order dated 31.8.2018 passed in Cr.Misc.No. 45889 of 2018.

Heard learned APP also.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M-X, Gaya, in connection with Nimchak Bathani P.S. Case No. 44 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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