

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2980 of 2020

Arising Out of PS. Case No.-220 Year-2019 Thana- BUNIYAD GANJ District- Gaya

JADU MANJHI Son of Naresh Manjhi Resident of Village - Mahuar Khurd,
P.S.- Buniyadganj and District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Buniyadganj P.S. Case No. 220 of 2019 registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case, there is no specific overt act against the petitioner rather the informant in her statement under Section 164 Cr.P.C. has stated that one Vijay Manjhi had forcibly closed her mouth and had snatched her hasua and was pulling her but save and except that there is no allegation that there was any attempt to commit rape. It is further submitted that the petitioner is in custody since 20.12.2019 having no criminal antecedent.



Learned APP for the State has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that in the first information report the informant has alleged about the scuffle with the petitioner and both the parties being co-villager, the petitioner has been falsely implicated in this case without specifically alleging any overt act against him and further in her statement under Section 164 Cr.P.C. she has stated that one Vijay Manjhi had forcibly closed her moth and had snatched her Hasua and was pulling her but save and except that there is no allegation that there was any attempt to commit rape with the informant and further that the petitioner has no criminal antecedent and is in custody since 16.11.2019, let the petitioner above named be released on bail in connection with Buniyadganj P.S. Case No. 220 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VIII, Gaya, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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