

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9618 of 2020

Arising Out of PS. Case No.-48 Year-2019 Thana- MAGADH UNIVERSITY District- Gaya

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NASIB KUMAR, S/O Rambachu Manjhi, Resident of Village -
Sarvodayapury, P.S.- Magadh University (Bodhgaya), District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-06-2020 This case has been heard through Video
Conferencing.

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

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 363,
366(A) and 34 of the Indian Penal Code.

Prosecution case in brief is that on 25.05.2019 at
about 7.00 p.m. minor daughter of the informant namely
Priyanka Kumari went outside of the house to attend call of
nature who did not return, then he searched her, but she did not
meet. Later on, he got knowledge that co-villagers Nasib
Kumar, Mantu Manjhi, Kamdeo Manjhi and Kuldeep Manjhi
enticed his daughter for marriage. When informant went to the



house of aforesaid accused persons for searching, then they were found absconding. Earlier petitioner Nasib Kumar teased his daughter, then informant left him after giving warning. Informant has full belief that petitioner accused Nasib Kumar has kidnapped his minor daughter enticing her for marriage with the help of co-accused Mantu Manjhi, Kamdeo Manjhi and Kuldeep Manjhi.

Learned counsel for the petitioner submits that the petitioner is quite innocent, he has committed no offence and he has been falsely implicated in this case. Simply being husband of the alleged victim, the petitioner has been made accused for no any offence committed by him. The petitioner has no criminal antecedent. In fact, the petitioner Nasib Kumar and alleged victim Priyanka Kumari are major who have been married willfully according to Hindu rite and custom prior to lodging the case. Statement of the victim recorded under Section 164 of the Cr.P.C. in that statement her aged mentioned as 19 years and has also stated that she married with the petitioner on 20.05.2019 and for this act my family members filed present case against the petitioner and other accused persons.

Learned APP for the State opposes the prayer for bail petition.



In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Gaya in connection with Magadh University P.S. Case No. 48 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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