

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14616 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

SANTOSH MANJHI Son of Late Dasace Manjhi Resident of Village -
Basudewpur Sarai, P.S.- Sahebganj, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-09-2020 Heard the learned counsel for the petitioner
and Sri Uma Shankar Prasad Singh, the learned
APP for the State.

This is an application for grant of anticipatory
bail in connection with Sahebganj P.S. Case No.
191 of 2019 registered for the offence punishable
under Sections 363 and 366A/34 of the Indian
Penal Code.

The case of the prosecution in brief is that on
02.05.2019, the daughter of the informant had
gone out for natural call, however, upon hearing
noise, the informant had gone to the place of
occurrence and had seen that the accused persons



including the petitioner had forcibly taken away her daughter in a bolero vehicle and fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted by referring to the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate that the victim girl has not named the petitioner to be one of the kidnapper and in fact, she has taken the name of the co-accused person, namely, Sonu Kumar, to be the main person, who had kidnapped her.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case diary, it is apparent that the victim girl has named Sonu Kumar and four unknown persons to be the person, who had kidnapped her, hence, this Court



is of the opinion that custodial interrogation of the petitioner herein as also steps regarding Test Identification Parade are required to be undertaken qua the petitioner herein and moreover, the medical board has also reported the age of the girl to be in between 16 to 17 years, hence, it is apparent that the complicity of the petitioner cannot be ruled out in the alleged offence, as is also borne out from the materials in the case diary, thus, I do not deem it fit and proper to consider the prayer of the petitioner for grant of anticipatory bail. Accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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