

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69765 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- LADAIYATAR District- Munger

Ajay Manjhi Son of Mahendra Manjhi, Resident of Village - Gopalichak,
P.S.- Ladaiyatar (Laraiyatarn), District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Ladaiyatar (Laraiyatarn) P.S. Case No. 19 of 2019 for the
offence punishable under Section 366(A) of the Indian Penal
Code and Section 8 of the POCSO Act.

The allegation is regarding the petitioner herein
having kidnapped the victim girl.

The learned counsel for the petitioner, by referring to
the statement made under Section 164 of the Cr. P.C. by the
victim girl before the learned Magistrate, has submitted that the
age of the victim has been found to be 18 years by the learned
Magistrate and it has been stated by the victim girl that she was
having love affair with the petitioner herein, whereafter she
became pregnant and she voluntarily fled away with the boy,



however, subsequently they were brought to the police station by the parents of the boy i.e. parents of the petitioner herein and on account of the pressure of the co-villagers, it was not possible to solemnize marriage because the victim girl and the petitioner were from different caste. It has been further stated by the victim girl in her said statement that the informant has got no grudge against the accused persons.

The learned counsel for the petitioner further submits that the present case is a case of love affair and cordial relationship was existing in between the petitioner and the victim girl, hence, there is no complicity of the petitioner in the alleged occurrence. It is further submitted that no offence under Section 366A of the I.P.C. is made out since admittedly the victim was not enticed by the petitioner. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 31.5.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the statement of the victim girl made under Section 164 Cr. P.C. before the learned Magistrate, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st cum Special Judge POCSO Act, Munger in connection with Ladaiyatar (Laraiyatarn) P.S. Case No. 19 of 2019.

(Mohit Kumar Shah, J)

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