

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18032 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- NAWADA MUFFASIL District- Nawada

ACHHAY MANJHI SON OF RAJO MANJHI R/O VILLAGE- BHAROSA,
P.S.- MUFFASIL,NAWADA, DISTRICT- NAWADA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nil Kamal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 05-10-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Shyam Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Muffasil P.S. Case No. 218 of 2020 registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code. He is in custody since 19.08.2020 and has got no criminal antecedent.

As per the prosecution story, on 29.07.2020, the sister of the informant went to canal to purchase vegetables where this petitioner along with his family members had kidnapped her and took her away. These accused persons are said to be involved in



this type of offences on earlier occasions too.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the F.I.R. has been lodged after inordinate delay for which no explanation has been given by the informant. It is submitted that petitioner is a married person having children. Learned counsel submits that he is custody since 19.08.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that victim has supported the allegations against the petitioner in her statement recorded under Section 164 Cr.P.C. and in her medical examination report also it has come that the victim lady was carrying four months pregnancy.

Having regard to the facts and circumstances of the case wherein there is a specific allegation against the petitioner and the same has been reiterated by the victim in her statement recorded under Section 164 Cr.P.C. as also that the medical examination report shows that the victim lady was carrying four months pregnancy, at this stage, this Court is not inclined to release the petitioner on bail. Prayer for bail of the petitioner is thus refused. Let the trial be expedited.



All endeavours be made to conclude the trial as early as possible, preferably within a period of one year from the date of communication of this order.

If the trial remains unconcluded during this period or in case the victim is examined in course of trial and the petitioner, if so advised, may renew his prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

