

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23770 of 2021**

Arising Out of PS. Case No.-156 Year-2020 Thana- JANTA BAZAR District- Saran

MAHESH MANJHI Son of Baliram Manjhi Resident of Village - Jagatpur
Tarwara, P.s.- Janta Bazar, Distt.- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satya Prakash,Advocate

For the Opposite Party/s : Ms.Shaheen Begum,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms.
Shaheen Begum, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Janta Bazar P.S. Case No. 156 of 2020
registered for the offences punishable under Sections 363,
366(A), 506/34 of the Indian Penal Code. He is in custody since
18.11.2020.

Learned counsel for the petitioner submits that in the
present case, FIR has been lodged after six days of the daughter
of the informant went missing. It is submitted that the daughter
of the informant is major, she has returned and made her

statement under Section 164 Cr.P.C. on 11.01.2021 before the learned Judicial Magistrate 1st Class, Saran. In her statement, the daughter of the informant has stated that she had left the house of her parents after she was thrown out of her house by her parents who were beating her. She went to Gujarat where she knew the petitioner, stayed with him and solemnised marriage with him.

Learned counsel for the petitioner submits that the victim girl has been assessed 19 years of age in her 164 Cr.P.C. statement and she has not made any allegation rather she desired to stay with the petitioner. She has stated that she stayed with the petitioner for four months and had established physical relationship with him and solemnised marriage.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the kind of statement made under Section 164 Cr.P.C. and the age of the victim indicated in the statement of the victim, the petitioner has remained in jail since 18.11.2020 having no criminal antecedent, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saran in connection with Janta Bazar P.S. Case No. 156 of 2020, subject to the conditions as

laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

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'.