

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37596 of 2020

Arising Out of PS Case No.-135 Year-2019 Thana- SARMERA District- Nalanda

Ram Jatan Manjhi, aged about 28 years (Male), Son of Sohrai Manjhi,
Resident of Village - Dharampur, Police Station - Sarmera, District - Nalanda.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Advocate
For the State : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-02-2021

Heard Mr. Jay Prakash Singh, learned counsel for the petitioner and Mr. Md. Arif, learned In-charge Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Sarmera PS Case No. 135 of 2019 dated 22.08.2019, instituted under Sections 366A/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he had abducted the 13 years old daughter of the informant.

4. Learned counsel for the petitioner submitted that the allegation is false and the girl had herself gone to her aunt's place at Kolkata due to some grievance and thereafter also returned home on her own as she has stated before the Court in her statement under Section 164 of the Code of Criminal Procedure,



1973. It was submitted that the petitioner having no criminal antecedent is in custody since 26.08.2020, in a patently false case.

5. Learned APP submitted that as per the allegation, the petitioner abducted the minor daughter of the informant. However, he did not controvert that the girl has not even indicated about the involvement of the petitioner, much less of being kidnapped.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned VIIIth Additional Sessions Judge, Nalanda at Biharsharif in Sarmera PS Case No. 135 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, and (ii) the petitioner shall cooperate in the case. Failure to cooperate shall lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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