

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3957 of 2021

Arising Out of PS. Case No.-236 Year-2019 Thana- FATEHPUR District- Gaya

LOKNATH MANJHI @ LOCKY MANJHI S/O SITARAM MANJHI
RESIDENT OF VILLAGE- KATHADIH, P.S. FATHEPUR, DISTRICT
GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sugandha

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-06-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Fatehpur Police Station Case No. 236 of 2019, registered for the
offence punishable under Sections 376/511/506 of the Indian
Penal Code.

The allegation, as per the First Information Report, is
that the petitioner pulled the informant on the floor and tried to
commit rape upon her.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to the fact



that both, the victim and the petitioner, were known to each other from before and the petitioner is the neighbour of the informant. She further submits that the marriage of the victim was solemnized in the year 2010 and even after the marriage, the victim used to talk to the petitioner on phone and it has been alleged that the recording of their talks over phone has been forwarded to the husband of the informant and that's why the petitioner has been implicated in this case. She further submits that the petitioner is a student, preparing for competitive examination and is in custody since 23.07.2020, She, referring to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, 1973, submits that the victim has not stated that the petitioner had made any attempt to commit rape.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 23.07.2020, both, the petitioner and the victim were known to each other from before, the petitioner was the neighbour of the victim and the petitioner is a student preparing for competitive examination, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 11th Additional Sessions Judge, Gaya, in connection with Fatehpur Police Station Case No. 236 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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