

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84181 of 2019

Arising Out of PS. Case No.-320 Year-2017 Thana- PALIGANJ District- Patna

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RAMJI MANJHI Son of Lagan Manjhi @ Nagam Manjhi Resident of Village
- Siyarampur, P.S.- Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeeb Kumar Sanju, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

8 30-09-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376 and 511 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

As per the prosecution case, the informant states that the petitioner took his 10 year old daughter in the agricultural field, misbehaved with her and made an attempt to commit rape.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case. He is in custody since 18.12.2020 and not a single witness having been examined on behalf of the prosecution, there is no chance of the trial concluding in the near future.



The application for bail is opposed by learned APP for the State who submits that the allegation of attempt to rape has been supported by the victim in her statement under section 164 Cr.P.C.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for 3 years 9 months, the Court directs the petitioner to be enlarged on bail in connection with Spl Case no. 193 of 2017 (arising out of Paliganj P.S. Case no. 320 of 2017) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I-cum-Spl. Judge, POCSO, Patna.

It is directed that the petitioner shall remain physically present in trial on each date and in case of the absence of the petitioner on any date for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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