

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8028 of 2022**

Arising Out of PS. Case No.-208 Year-2021 Thana- SISWAN District- Siwan

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AMIT MANJHI @ AMIT KUMAR MANJHI SON OF RAM PUKAR
MANJHI RESIDENT OF VILLAGE- SISWAN GANGAPUR, POLICE
STATION- SISWAN, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 16-08-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 366(A)/34 of the Indian Penal
Code.

The daughter of the informant is said to have been
kidnapped by the petitioner and others for the purpose of
marriage.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that it appears from the F.I.R., the alleged
date of occurrence is 30.06.2021 whereas the present case



has been lodged on 06.08.2021 that too after lapse of 36 days without explaining the plausible delay. He further submits that the petitioner and the victim was having love affairs and the victim has voluntarily left her house and went with the petitioner. He further submits that the victim girl has been recovered and her statement has been recovered under Sections 161 and 164 Cr.P.C. which are contradictory to each other. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 29.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Siswan P.S. Case No. 208 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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