

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9015 of 2022

Arising Out of PS. Case No.-572 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Suraj Mnjhi @ Suraj Kumar Son of Jamuna Manjhi Resident of Village - Jay
Nagar, Lal Pahari , Ward no.33, P.s.- Kabaiya, Distt.- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-07-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Lakhisarai (Kabaiya) P.S. Case No. 572 of 2021 lodged under
Sections 366(A), 370 of the Indian Penal Code.

The prosecution case is that the informant disclosed in
her information petition that her daughter Nancy Kumari is
traceless since 31.07.2021. She has searched her daughter but
failed to receive information about her. She further made
allegation upon seven named persons alleging that they all
kidnapped her daughter with bad intention. The informant also
disclosed her apprehension that they (accused persons) may sell



to her daughter or kill. She also explained the cause of delay in the F.I.R.

Case diary has also been called for in this case.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He mentioned that in paragraph 86 and 87 of C.D., independent witnesses have informed that the petitioner and the daughter of the informant were in love, due to which they both with mutual consent of each other went to Makrana Rajasthan. Learned counsel for the petitioner further submits that the petitioner is in custody since 18.10.2021 and charge sheet has already been filed in this case. He also mentioned that petitioner has clean antecedent. The present case is absolutely relating to love affair and no case has made out under any provision as mentioned.

Learned APP for the State submits that paragraph 45 and 46 of the case diary are the most relevant where the statement of the victim under Section 161 and 164 of the Cr.P.C. have been recorded, in her statement the victim has deposed/stated before the I.O. and the Magistrate that above named accused persons of the F.I.R. including petitioner had kidnapped her and brought her to Makrana Rajasthan. They put the victim there for about one month and raped her alternatively



for complete one month.

Upon going through the allegation made by the victim herself. I may not inclined to grant bail to the petitioner.

Hence, the present petition is rejected. The trial court is directed to conclude the trial within six months.

(Dr. Anshuman, J.)

guddu/-

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

