

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18431 of 2022**

Arising Out of PS. Case No.-160 Year-2021 Thana- LAKHISARAI District- Lakhisarai

RAJIV MANJHI S/o Bilar Manjhi @ Rajendra Manjhi R/o village- Patner,
P.S.- Amahra, Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

4 24-08-2022 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 363, 366(A) and 34 of the Indian Penal
Code.

The daughter of the informant is said to have been
abducted by the petitioner and others.

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
as a matter of fact, the alleged occurrence took place on
03.12.2020 whereas the F.I.R. has been instituted on 13.03.2021
after lapse of 100 days without any explanation, which is
sufficient to disbelieve the prosecution version. He further



submits that the petitioner and the victim were having love affairs and on account of that both of them have performed marriage. He further submits that the victim in her statement recorded under Section 164 Cr.P.C. has categorically stated and supported that she has performed marriage with the petitioner as per her own volition and sweet will on 20.11.2021, therefore, no case under Section 366(A) of the I.P.C. is made out against the petitioner. He further submits that the petitioner is ready to keep the victim as a wife with full dignity and honour. 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 04.12.2021.

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 Lakhisarai (Amahra) P.S. Case No. 160 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.

(3) One of the bailors shall be the father of the victim girl, who is informant, namely, Shambhu Das, of this case.

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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