

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28850 of 2022

Arising Out of PS. Case No.-74 Year-2020 Thana- CHOUTARWA District- West Champaran

1. MANOJ MANJHI SON OF ARKHA MANJHI R/O VILLAGE-LAUKARIYA, P.S.- JOGAPATI, DISTRICT- WEST CHAMPARAN, BIHAR
2. ARKHA MANJHI SON OF LATE JANGAI MANJHI R/O VILLAGE-LAUKARIYA, P.S.- JOGAPATI, DISTRICT- WEST CHAMPARAN, BIHAR
3. MUNNA DEVI WIFE OF ARKHA MANJHI R/O VILLAGE-LAUKARIYA, P.S.- JOGAPATI, DISTRICT- WEST CHAMPARAN, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar, Adv.
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-10-2022 Heard the parties.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no.3 as during its pendency, she has been arrested by the police.

Permission is granted.

This application as against petitioner no.3 is dismissed as withdrawn.

Now, it is being heard for consideration of bail as against petitioner no.1 and 2.

The petitioners apprehend their arrest in a case registered



for the offence punishable u/s 366(A)/504/34 of the IPC and section 8 of the POCSO Act.

Allegedly, one Akhilesh Manjhi on the pretext of marriage made illicit physical relationship with the daughter of informant and when informant came to know about this, she went to the house of Akhilesh Manjhi, whose family confirmed about Akhilesh intention to marry informant's daughter and they abused the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Petitioner no.1 is the brother of Akhilesh Yadav and petitioner no.2 is the father of Akhilesh Yadav and the allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that statement of the victim was recorded u/s 164 Cr.P.C., in which she has not supported the prosecution case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioner nos.1 and 2, be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Chautarwa P.S. Case No.74 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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