

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40595 of 2021

Arising Out of PS. Case No.-103 Year-2021 Thana- BARBIGHA District- Sheikhpura

Manisha Devi @ Manisha Sharma Daughter of Ramashish Sharma W/o -
Shekhar Sharma, R/o- Indrapuri Road No. 15 A, North Patel Nagar,
Krishnapuri, P.S. - Kotwali, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Barbigha P.S. Case No. 103 of 2021 registered for the alleged offences under Section 306 of the Indian Penal Code.

The prosecution case is that the son of the informant committed suicide due to Sexual exploitation by the petitioner.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The allegation of sexual exploitation against the petitioner is completely wrong and the case has been fabricated as this petitioner filed a case Kotwali Patna P.S. Case No. 989 of 2019 under Section 493 and Section 376 C of the Indian Penal Code against the deceased and the informant of this case. The deceased used to sexually harass the petitioner and prepared private photographs of the petitioner and was blackmailing her. Further the employer of the deceased has also filed a case against him for running away with cash and jewellery valued at Rs. 8 to 10 lakhs and Kotwali P.S. Case No. 526 of 2021 was registered. So the present case has been instituted as a counter blast. Learned counsel further submits that charge sheet has been submitted in this case and the petitioner is in custody since 10.4.2021.

Learned APP opposes the prayer for bail submitting that witnesses in case diary have supported the case of the informant.

Having regard to the submissions made hereinabove and considering the fact that the deceased was an accused for committing offence under Section 376 C against the petitioner for which a case was filed by the petitioner along with



the fact that charge sheet has been submitted in this case and the petitioner is in custody for more than a year, petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Barbigha P.S. Case No. 103 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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