

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38944 of 2020

Arising Out of PS. Case No.-211 Year-2019 Thana- SUPPI District- Sitamarhi

-
1. LAKHINDRA MAJHI @ LAKHINDRA MANJHI Son of Vishwanath Manjhi
 2. CHALITRA MANJHI @ CHALITAR MANJHI Son of Jeewan Manjhi
 3. VISWANATH MANJHI Son of Jeewan Manjhi
 4. CHHOTE MANJHI Son of Jeewan Manjhi
 5. BINDA MANJHI Son of Vishwanath Manjhi
- All are Resident of Village- Kansara, P.S.- Suppi, Distt- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 03-03-2022 Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Suppi P.S. Case No. 211 of 2019 registered for the offences punishable under Sections 363/366/A of the Indian Penal Code.

Suppi P.S. Case No. 166 of 2019 was filed against



some of the co-accused under Section 363/366/34 of the Indian Penal Code.

In that case, the accused persons (Lakhindra Majhi and Binda Manjhi) who are named in this case were granted anticipatory bail.

Subsequently, again Suppi P.S. Case No. 212 of 2019 was filed against five persons.

The date of occurrence is 15.09.2019 whereas the date of report is 05.10.2019. The girl is said to have been recovered by the police in a market with a lady, but the details of the lady has not been given in the case diary. The statement of the lady has not been recorded in the case diary. The statement of the girl under Section 161 of the Cr. P.C. as well as Section 164 of the Cr. P.C. does not say that she has been sexually assaulted or that the petitioners misbehaved with her.

It seems highly improbable that if a girl is taken to Nepal then she will come back to her village along with an unknown lady without the co-villagers intervening in the matter.

Dispute between the parties is admitted.

Now, it is common knowledge that people are trying to falsely implicate persons whom they have dispute by making a family member disappear and make them stay with some



relatives for 2-3 months. In the opinion of this Court, this is a fit case for grant of anticipatory bail.

Considering the facts and circumstances, the present anticipatory bail application is allowed.

Accordingly, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Suppi P.S. Case No. 211 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

Saif/-

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

