

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.385 of 2021

Arising Out of PS. Case No.-279 Year-2019 Thana- PANCHRUKHI District- Siwan

1. SANTOSH MANJHI @ SANTOSH KR. MANJHI SON OF LAKHDEV MANJHI Resident Of Village - Laheji, P.S. - Pachrukhi, (M.H. Nagar), District - Siwan
2. MUKESH MANJHI @ MUKESH KUMAR MANJHI SON OF LAKHDEV MANJHI Resident Of Village - Laheji, P.S. - Pachrukhi, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey, Advocate
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 31-03-2022 Application filed on behalf of petitioner No.1 has already been dismissed as withdrawn by order dated 14.12.2021.

Heard learned counsel for the petitioner No.2 and learned APP for the State.

Learned Counsel for the petitioner No.2 is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner No.2 is apprehending his arrest in a case registered under Sections 363, 366A/34 of the Indian Penal Code.

Prosecution case, in short, is that the daughter of the



informant was missing. Upon enquiry, the informant found that the accused persons including the petitioner No.2 abducted her daughter.

It has been submitted on behalf of the petitioner No.2 that the petitioner No.2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.2. The petitioner No.2 has falsely been implicated in the present case. The petitioner No.2 has been made accused due to oblique reasons. From perusal of the F.I.R. itself, it is evident that mere a suspicion has been raised against the petitioner No.2. Except for this, there is no substantive evidence to show the participation of the petitioner No.2 in the alleged abduction. The entire case is based only on suspicion.

On behalf of the State, it is submitted that the petitioner No.2 is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner No.2, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with



Pachrukhi (M.H. Nagar) P.S. case No.279/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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