

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55150 of 2021

Arising Out of PS. Case No.-145 Year-2021 Thana- MANJHI District- Saran

Munna Sah Son of Bhrigu Sah @ Bhrigun Sah Resident of Village -
Mehandiganj, P.S.- Manjhi, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sachida Nand Rai, Advocate
For the Informant	:	Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and Shri Ajay Kumar No. 2, learned
A.P.P. for the State.

The petitioner seeks bail in connection with Manjhi
P.S. Case No. 145 of 2021 instituted for the offences under
Sections 420, 376, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.06.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant, a class-VII student, alleges that accused Arun Kumar
Sah who is a close relative of her co-villager induced and
seduced her on the pretext of marriage and used to establish
physical relations, further alleges that on 02.05.2021 he took her



out of the village in the night but was caught by the villagers and her parents were informed, thereafter it is alleged that it was decided that Arun and informant would get married on 14.05.2021 in Sarnath Temple at Manjhi but Arun Kumar and his parents did not turn up and the informant came to know that Arun's marriage has been fixed with one Subhawati Kumari, daughter of Jawahir Sah.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that informant was aggrieved by the fact that Arun who established physical relations with her daughter on the pretext of marriage now has refused to marry and his marriage has been fixed with one Subhawati Kumari. Learned counsel further submits that whatever happened, happened between Arun and the informant with which the petitioner has no concern, it is also submitted that petitioner is father of Arun and the F.I.R. in no manner even remotely suggests or implicates the petitioner with the offence except that the petitioner did not turn up on 14.05.2021 when it is alleged that the marriage was fixed on the insistence of the villagers.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner. Learned counsel for the informant very fairly submits



that though the informant has not alleged anything against this petitioner but then he is father of Arun who has committed the occurrence of establishing physical relation with a minor.

Learned counsel for the petitioner rebutting the submission of the learned counsel for the informant submits that if Arun has committed any offence, the law will deal with him and as far as this petitioner is concerned, merely because he is father, he has been put behind the bars.

Considering the fact that the petitioner is in custody since 30.06.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and the informant in the F.I.R. has not alleged anything against the petitioner except that he did not turn up on the date fixed for marriage, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-13th Chhapra, Saran in connection with Manjhi P.S. Case No. 145 of 2021.

(Satyavrat Verma, J)

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