

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54529 of 2021**

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

Santosh Kumar @ Santosh Kumar Manjhi @ Santosh S/O Lakhdev Manjhi
R/O Village-Laheji, P.S.- Panchrukhi (M.H. Nagar), District-Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 10-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned A.P.P. in compliance of the order dated 15.02.2022 has filed a counter affidavit wherein it has been specifically stated that all steps have been taken but the girl till date has not been recovered.

The petitioner seeks bail in connection with Panchruki (M.H. Nagar) P.S. Case No. 279 of 2019 instituted for the offences under Sections 363, 366A and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case and the informant alleges that 20 days ago, her minor daughter aged



about 12 years went out of the house and when she did not return, a search was made but the victim could not be located, hence it is alleged that the petitioner along with one Mukesh kidnapped her for marriage and they run an orchestra group.

Learned counsel for the petitioner submits that from perusal of the F.I.R. it would manifest that the F.I.R. has been instituted after an inordinate delay of 20 days without any plausible explanation. Learned counsel further submits by relying on his pleadings made in the supplementary affidavit based on a genealogical table that petitioner is uncle of the informant and this relationship has been concealed in the F.I.R. to give a serious color to the case. Learned counsel further submits that it absolutely does not stand to reason that a cousin grandfather would kidnap his grand daughter for the purposes of marriage.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case, there is an inordinate delay in instituting the F.I.R. and taking into consideration the submissions made by the learned counsel for the petition, the petitioner above named is



directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Panchruki (M.H. Nagar) P.S. Case No. 279 of 2019.

(Satyavrat Verma, J)

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