

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61455 of 2021

Arising Out of PS. Case No.-310 Year-2021 Thana- MADHAURAH District- Saran

Sunil Manjhi Son of Radha Manjhi R/o Village - Gaura, P.S.- Marhawrah,
District - Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 11-05-2022 Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks.

The petitioner is in custody in connection with
Marhowrah P.S. Case No. 310 of 2021 registered under sections
363/366(A)/34 of the Indian Penal Code.

The allegation in the FIR is that a written application
was given by the informant Tarkeshwar Manjhi alleging that his
daughter had gone to the shop of Radha Manjhi to purchase
some articles where his sons Sunil Manjhi, Gajendra Manjhi and
Ramesh Manjhi were also present and when the victim girl
failed to return home, he enquired about his daughter from
Radha Manjhi but did not get any satisfactory answer. The
informant, subsequently was informed by the local villagers that



Radha Manjhi and his three sons had taken away the victim girl on a Scorpio vehicle.

Accordingly, this FIR came to be lodged.

In this case, case diary was called for and the learned APP has gone through it. He has attributed this Court's attention to para-21 of the case diary where the victim girl has given her statement under section 164 of the Cr.P.C. wherein she has stated that she has gone to Delhi with accused Ramesh Manjhi and stayed with her for some time but did not make any physical relationship with him. He further drew this Court's attention to para-56 of the case diary where the doctor have opined the age of the victim girl between 18-20 years.

Taking into account the aforesaid facts as also to that this petitioner is brother of the Ramesh Manjhi, charge-sheet has been submitted, he is having no criminal antecedent and is in jail since 11.9.2021 (as stated in para-14 of the bail application); this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Marhowrah P.S. Case No. 310 of 2021 subject to the following conditions:-



(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(ii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

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

