

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68062 of 2021

Arising Out of PS. Case No.-277 Year-2021 Thana- VAISHALI District- Vaishali

Manoj Son of Ram Singh Resident of Village- Dharampur, P.S.- Daltenganj,
District- Badan (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 70945 of 2021

Arising Out of PS. Case No.-277 Year-2021 Thana- VAISHALI District- Vaishali

1. Anita Devi @ Manita Devi W/o Dinesh Ram R/o Vill- Chintamanpur, P.S.-
Vaishali (Belsar O.P.), Dist.- Vaishali.
2. Manjit Ram S/o Late Nagina Ram R/o Vill- Manora, P.S.- Vaishali (Belsar
O.P.), Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 68062 of 2021)

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 70945 of 2021)

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-07-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioners and learned



APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 363, 366(A), 372, 120(B) of the Indian Penal Code.

As per prosecution case, in brief, is that informant Sonal Kumari along with other officials as well as police reached at the house of Devendra Ram on 09.07.2021 where they found that one Manoj has solemnized the minor girl namely Nitu Kumari. It is further alleged that Anita Devi and his brother Manjit Ram has taken money from Manoj for the purpose of marriage. On inquiry Nitu Kumari told that her father is in Gujrat and Anita Devi and Manjit Ram has solemnized her marriage with Manoj to amuse her mother. Accused Manoj has sent Rs. 49,700/- to her account for purpose of marriage in which her brother namely Manjit Ram also involved in this matter.

Learned counsel for the petitioners submit that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the present case is fabricated and concocted and the marriage was solemnized with the consent of the parents of the victim and no case is made out against the petitioners under Section 366 (A) of



the Indian Penal Code. He further submits that the petitioners are in custody since 10.07.2021.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Vaishali (Belsor O.P.) P.S. Case No. 277 of 2021, with the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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