

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72045 of 2021**

Arising Out of PS. Case No.-37 Year-2021 Thana- BATH District- Bhagalpur

Manish Thakur, S/O Domi Thakur @ Doman Thakur Resident Of Village-  
Deodha, P.S.- Bath, District- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Md. Ataur Rahman

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

2      02-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in anticipation of his arrest in  
a case registered for the offences punishable under Section  
366(A)/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and is a young boy  
aged about 21 years and the informant alleges that on  
14.07.2021, his daughter went to her Basa at 4.00 in the  
morning and at about 6.00 A.M., when he went to give fodder to  
the cattle, he did not find his daughter and accordingly, the  
search was made and later, informant came to know that Sunny  
Thakur and his wife Chhoti Devi along with Manish Thakur  
have kidnapped his daughter forcibly. It is next alleged that on



mobile, it was informed that at some place at Rajasthan his daughter has been forcibly married to Manish Thakur in which Chhoti Devi, who is Bhabhi of Manish Thakur is also one of the conspirator in the occurrence.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that the petitioner and the victim was in love. It is further submitted that no doubt, the victim is a minor as it has come in the impugned order, but then, she was about 16 years of age and is an educated girl and as such, was capable of understanding the consequences of her action. It is next submitted that the victim has come back and her statement was recorded under Section 164 of the Cr.P.C. wherein she has not supported the prosecution case and even did not show her willingness to go with her parents, as such, the learned trial Court has sent the victim to Balika Grih, Bhagalpur.

The learned counsel next submits that at the cost of repetition that no doubt, victim is a minor, but then she has also before the learned trial Court has not shown her willingness to go to her parents place. It is further submitted that sending the petitioner to jail will jeopardize his entire career. The learned counsel also submits that the petitioner realizes that at such



young age without thinking of the consequences, he along with the victim eloped.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bath P. S. Case No.37 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

**(Satyavrat Verma, J)**

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