

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17870 of 2023

Arising Out of PS. Case No.-484 Year-2019 Thana- MUFFASIL District- West Champaran

1. Binod Manjhi, S/O Ramjit Manjhi, Resident Of Village- Jagarnathpur, P.S- Bettiah Muffasil, Distt.- West Champaran.
2. Saraswati Devi @ Surswati Devi, W/O Sri Binod Manjhi, Resident Of Village- Jagarnathpur, P.S- Bettiah Muffasil, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 366-A/34 of the Indian Penal Code.

The prosecution case, in brief, is that while the informant's daughter went to attend call of nature, her co-villager Chandeshwar Mikhiya enticed away her on motorcycle for the purpose of marriage and handed her over to Saheb Manjhi. It is further alleged that petitioners along with other co-accused persons had kept her at some unknown place. Even after intense search she could not be



traced out.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case because they are parents of the main accused Saheb Manjhi. There is inordinate delay of about 28 days in lodging the F.I.R. From perusal of bail petition of co-accused Chandeshwar Mukhiya (Cr. Misc. No. 1853 of 2020), it is evident that as per statement of the victim girl recorded u/s 164 of Cr.P.C., she had gone with co-accused Saheb Manjhi out of her own sweet will. She has also disclosed her age as 19 years and she has not taken the name of the petitioners in her statement. They have got no criminal antecedent. It is further submitted that similarly situated co-accused Chandeshwar Mukhiya has already been granted bail by a Co-ordinate Bench of this Court vide order dated 14.01.2020 passed in Cr. Misc. No. 1853 of 2020. Moreover, the petitioners are languishing in judicial custody since 28.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.



Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bettiah Muffasil P.S. Case No. 484 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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