

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36388 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- AWTARNAGAR District- Saran

1. Shyam Lal Manjhi Son of Late Bali Manjhi Resident of Basant Narayanpur, PS- Garkha, District- Saran
2. Sugi Devi @ Manju Devi Wife of Shyam Lal Manjhi Resident of Basant Narayanpur, PS- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2023 Heard Mr. Harish Kumar, learned counsel for the
petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Awtar Nagar P.S. Case No. 311 of 2022 registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

3. It is alleged that the minor daughter of the informant was kidnapped by all the five FIR named accused persons for the purposes of marriage.

4. Learned counsel for the petitioners submits that soon after the occurrence, the victim was recovered and her statement was recorded under Section 164 CrPC, wherein she



has not taken the name of the petitioners rather she has made a distinct allegation against co-accused Nibha Devi, Saraswati Devi and one unknown person. He further submits that the name of the petitioners have been implicated only on suspicion by the father of the victim though during the course of investigation, no iota of evidence has been collected against the petitioners. He next submits that the petitioners bear no criminal antecedent and they undertake that they will fully cooperate in the investigation/trial and will remain physically present as and when required.

5. On the other hand, learned counsel for the State opposes the application for grant of pre-arrest bail.

6. Regard being had to the submissions made on behalf of the parties and considering the statement of the victim recorded under Section 164 CrPC, coupled with the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Chapra, Saran in connection with Awtar Nagar P.S. Case No. 311 of 2022, subject to the condition



as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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