

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46049 of 2023

Arising Out of PS. Case No.-343 Year-2021 Thana- NAANPUR District- Sitamarhi

1. ARJUN MANJHI Son of Narayan Manjhi Resident of village - ward no. 9, Bahera Zahidpur, P.S. - Nanpur, Distt. - Sitamarhi, Bihar, Pin Code - 843333
2. Chandkala Devi Wife of Arjun Manjhi Resident of village - ward no. 9, Bahera Zahidpur, P.s - Nanpur, Distt. - Sitamarhi, Bihar, Pin Code - 843333

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar, Advocate
For the Opposite Party/s: Ms. Nirmala Kumari A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor appearing for the

State.

2. Petitioners apprehend their arrest in connection
with Nanpur P.S. Case No. 343 of 2021 dated 7.11.2021
registered for the offence punishable under Sections 363,
366-A/34 of the Indian Penal Code and Section 8 of
POCSO Act.

3. As per the allegation made in the First
Information Report, on 4.11.2021 at about 10:00 p.m. in the
night, 15 years old daughter of the informant went outside
her house in order to attend the nature's call, she was



kidnapped/abducted by the petitioners and other co-accused persons.

4. Learned counsel for the petitioners submits that the petitioners are the parents of co-accused Sanjay Manjhi with whom the victim girl had eloped. He further submits that the statement of victim girl has been recorded under Section 164 Cr. P.C. by the learned Magistrate wherein she has not supported the prosecution case. He next submits that the petitioners have been made accused merely because they happen to be the parents of the co-accused Sanjay Manjhi and the petitioner No. 1 is aged about 82 years. Petitioner No. 2 is wife of petitioner No. 1.

5. Regards being had to the submission made by the parties and taking into consideration the fact that the statement of the victim girl has been recorded under Section 164 Cr. P.C. wherein she has not supported the prosecution case, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory



bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI, Sitamarhi, in connection with Nanpur P.S. Case No. 343 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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