

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50867 of 2023

Arising Out of PS. Case No.-310 Year-2021 Thana- MADHAURAH District- Saran

Ramesh Manjhi (aged about 19 years, Male), S/O Radha Manjhi, R/O Village- Gaura, P.S. Marhawrah, Dist. Saran at Chapra.

... .. Petitioner

Versus

1. The State of Bihar.
2. Tarkeshwar Manjhi, S/O Late Mithai Manjhi, resident of Village-Gaura, P.S. Madhaura, District-Saran at Chapra.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Nawal Kishore Singh, Advocate
For the O.P. No. 2	:	M/S. Manohar Prasad Singh and Pawan Kumar Singh, Advocates
For the Opposite Party	:	Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 06-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. A Vakalatnama has been filed on behalf of the opposite party no.2. Let it be kept on the record.

3. Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned Additional Public Prosecutor for the State.

4. The petitioner is apprehending his arrest in connection with Marhowrah P.S. Case No. 310 of 2021 dated 03.06.2021 registered for the offences punishable under Sections 363 and 366(A)/34 of the I.P.C.



5. As per the prosecution case, the minor daughter of the informant went to the shop of Radha Manjhi on 21.05.2021 for buying articles but Radha Manjhi and his wife called his daughter to their house and his three sons also entered their house. The informant and his family members started searching his daughter but she could not be traced out. Subsequently, the informant came to know that the petitioner and the co-accused persons kidnapped his daughter on black coloured Scorpio Car.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner. As per the medical examination report, the age of the victim is assessed in between 18-20 years and there is no any evidence of recent sexual assault. It is further submitted that the victim has already married with the petitioner of her own will and she gave birth to a child from their wedlock. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

7. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 have opposed the prayer for anticipatory bail of the petitioner.

8. Considering the aforesaid facts and circumstances



of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Marhowrah P.S. Case No. 310 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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