

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50744 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- LAUKARIA District- West Champaran

Upendra Manjhi @ Upendra Kumar Manjhi @ Upendra Kumar Son of
Ganesh Manjhi R/O Village- Dudhaura, Jhikri Tola, Ps. Laukariya, Dist. West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-08-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a period
of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for grant of
regular bail in connection with Laukariya P.S Case No. 138 of 2022
dated 21.12.2022 registered for the offence punishable u/s 363,
366A, 323, 504, 34 of the Indian Penal Code & Section 8 of the
POCSO Act.

4. As per the prosecution case, the petitioner and the co-
accused are alleged to have kidnapped the minor daughter of the
informant for the purpose of marriage.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the Medical Board has assessed the age of the victim in between 15 to 17 years. Learned counsel has further submitted that there is no material on record which shows that the victim was forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.02.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, in connection with Laukariya P.S. Case No. 138 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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