

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54209 of 2023

Arising Out of PS. Case No.-317 Year-2022 Thana- MADHAURAH District- Saran

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SANJEEV KUMAR MANJHI @ SANJIT MANJHI @ SANJIT KUMAR
MANJHI Son of Dashrath Manjhi Resident of village - Gaura, P.S. -
Marhowrah (Gaura O.P.), Distt. - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukti Kuwar Wife of Late Lagandev Manjhi Resident of vill - Gaura, P.S. -
Marhowrah, (Garua O.P.), Distt. - Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sanjay Kumar Jha, Adv.
For the Opposite Party/s :	Mr.Nand Kishore Prasad, APP
	Mr.Adarsh Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 342, 504, 506, 509,
376(D,A), 201, 120(B) of the IPC. From perusal of the F.I.R. as
well as the impugned order, it appears that sections 67A and
69A have been mentioned under the section of IPC, which
ought to have been under the I.T. Act and the petitioner is
accused under these sections also.

3. Allegedly, the daughter of the informant is said to have
been gang raped by the F.I.R. named accused persons including



the petitioner and they also made video of the alleged act.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Statement of the victim was recorded u/s 164 Cr.p.C., in which, she stated that her mother falsely implicated the petitioner and his family members, no rape was committed upon her nor any video recording was made. She had gone out of her house on her will and married with the petitioner, as she was in love with him. Petitioner has one criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail by submitting that the process u/s 82 Cr.P.C. has been initiated against the petitioner.

6. Having regard to the facts and circumstances of the case and considering the statement of the victim u/s 164 Cr.P.C., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Marhowrah P.S. Case No.317/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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