

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57011 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- HARINMAR District- Munger

1. MANOJ SINGH, S/o- Ram Swaroop Singh R/o Village- Athasaiya, P.S.- Bariyarpur, Binda Diara, District- Munger
2. Rajeev Singh, S/o- Manoj Singh R/o Village- Athasaiya, P.S.- Bariyarpur, Binda Diara, District- Munger
3. Ranvir Singh, S/o- Fudo Singh R/o Village- Athasaiya, P.S.- Bariyarpur, Binda Diara, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ranjit Ranjan
For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 27-04-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel appearing on behalf of the petitioner informs this Court that Ranvir Singh, petitioner No.3 has been arrested and as such, the bail application against petitioner No.3 has become infructuous. Accordingly, the bail application as against petitioner No.3 is dismissed.

3. The petitioners seek pre-arrest bail in connection with Harinmar P.S. Case No. 21 of 2021 registered for the offences punishable under Sections 366A, 504, 34 of the Indian Penal Code.



4. Prosecution story as per F.I.R. is that Ajit Singh and Rajiv Singh arrived at the house of the informant and took the minor daughter of the informant. When minor daughter of the informant did not return home, then on next date, the informant came to the house of Fudo Singh; Smt. Tara Devi, Ranvir Singh; Rama Devi; Manoj Singh; Tetri Devi; to inquire them about his missing daughter, the informant abused him.

5. Learned counsel for the petitioners submits that the petitioner No.1 and 2 are nowhere connected with the alleged crime as would appear from the statement of the victim recorded under Section 164 Cr.P.C. where she has stated that she has returned home along with her uncle and she has also specifically stated that no one had assaulted her physically or sexually and no one has compelled her to marry and she has returned back home safely.

6. Learned counsel for the State has vehemently opposed the prayer for grant of anticipatory bail.

7. In this case, victim has been recovered and from her Medical Examination, it is clear that she is minor. Victim has also given her statement u/s 164 Cr.P.C. and in her statement victim has stated that Rajiv Singh, Ajit Singh, Manoj Singh, Tetri Devi, Fudo Singh, Tara Devi, Narwin Singh, Rama Devi



boarded her in a Bolero. Even Ramswaroop Singh was also involved in this case. Victim has stated that she was kept confined for ten days in Gujrat but no wrong has been committed with her.

8. Considering the nature of allegation and the statement of the victim, let the petitioner No. 1 and 2, named above, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Munger, in connection with Harinmar P.S. Case No. 21 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will loose its force.

(Purnendu Singh, J)

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