

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59388 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Manish Ram @ Manish Kumar Ram Son Of Ranjeet Ram @ Ranjit Ram
Resident Of Village - Brahampur, P.S. - Mohiuddin Nagar, District -
Samastipur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Mohiuddin Nagar P.S. Case No. 253 of 2022 registered for the offences punishable under Sections 365, 366(A)/34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, the informant alleged that her minor daughter went out from her house in the morning of 15.09.2022 but she did not return. During search, the informant got information that his villagers Bholu Ram, Manish Ram, Asha Devi with the help of Pankaj Ram kidnapped her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. It is submitted that the victim girl has been recovered and she has made her statement under Section 164 Cr.P.C saying that she had gone with the petitioner out of her own volition. It is submitted that now the victim has become major and is residing with the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein the victim girl has been found and she has made a statement under Section 164 Cr.P.C that she had left her house on her own volition and got married with the petitioner and at this stage the victim is said to be major and is residing with the petitioner, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named shall be released on bail in connection with Mohiuddin Nagar P.S. Case No. 253 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI Cum Special Court (POCSO), Dist. - Samastipur, Bihar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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