

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57671 of 2022

Arising Out of PS. Case No.-347 Year-2022 Thana- ALAMGANJ District- Patna

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Indrajeet Kumar @ Indrajeet Manjhi S/O Indal Manjhi @ Indar Manjhi
Resident of village- Alipur Dih, P.S.- Parwalpur, Post Bisai Bigha, District-
Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 04-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Special Case No.74 of 2022 arising out of Alamganj P.S. Case No.347 of 2022, registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code and Sections 12 and 16 of the POSCO Act.

The allegation is regarding the petitioner having eloped with the daughter of the



informant on the alleged date and time of occurrence and one co-accused person namely, Indal Manjhi had helped the petitioner to do so.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 15.05.2022. The learned counsel for the petitioner has further submitted by referring to the impugned order dated 25.08.2022, that the victim girl has stated in her statement made under Section 164 Cr.P.C., before the learned Magistrate that she has married with the petitioner. It is also submitted by referring to the Aadhar Card annexed to the present petition at page no.14 of the present petition that the victim girl is major. Lastly, it is submitted that proof of marriage having been solemnized by the petitioner with the victim girl has also been annexed at page no.16 of the present petition.

Per contra, the learned APP for the



State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that as per the Aadhar Card of the victim girl, she is stated to be major on the alleged date of occurrence, apart from the fact that the learned Court below, in the impugned order dated 25.08.2022, has referred to the statement made by the victim girl under Section 164 Cr.P.C., wherein it has been stated by the victim girl that she has solemnized marriage with the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge



VII-cum-Exclusive Special Court (POSCO Act), Patna
in connection with Special Case No.74 of 2022
arising out of Alamganj P.S. Case No.347 of 2022.

(Mohit Kumar Shah, J)

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