

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62830 of 2023

Arising Out of PS. Case No.-206 Year-2023 Thana- MUFFASIL District- West Champaran

MANISH KUMAR @ MANISH KUMAR PATEL SON OF BABULAL
PATEL RESIDENT OF VILLAGE - CHARGAHA, MISHRA TOLA, WARD
NO.40, P.S. - BETTIAH (MUFFASIL), DISTRICT - WEST CHAMPARAN
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Ms.Pushpa Sinha.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 363, 366A, 34 of the
Indian Penal Code and Section 8 of POCSO Act.

3. The allegation levelled against the petitioner is that he
along with other co-accused persons has kidnapped the minor
sister of informant for the purpose of marriage.

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 due to ulterior motive. The
allegation levelled against the petitioner is totally false and based
on concocted facts. The real fact is that the victim went with the



petitioner with her own sweet will. Petitioner is major, which is evident from her birth certificate. It is further submitted that statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case and stated that she has solemnized the marriage with petitioner as is evident from her marriage certificate enclosed at Annexure 2 of the bail application. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, as the victim has not supported the prosecution case, 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 Bettiah (Muffasil) P.S. Case No. 206 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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