

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68812 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- FATEHPUR District- Gaya

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NAGINA MANJHI Son of Late Karu Manjhi R/o Village - Shitalpur, P.S.-
Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Onkar Nath, Advocate
For the Opposite Party/s	:	Ms. Meena Singh, APP
For the informant	:	Mr. Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Fatehpur P.S. Case no.22 of 2023 registered under section 366A of the Indian Penal Code.

3. As per the prosecution case, it is stated by the informant that the son of the petitioner herein took away his 16 years old minor daughter for the purpose of marriage. The other accused persons including this petitioner also have a hand in kidnapping of his minor daughter.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the father of the



coaccused Gopal Manjhi who is said to have taken away informant's daughter. While the occurrence is alleged to have taken place on 30.12.2022 information was given to the police only on 9.1.2023. Referring to the order of the learned trial Court rejecting the application for bail of the petitioner it is submitted that from perusal thereof it would transpire that the alleged victim has not supported the case against this petitioner either in her statement before the police nor in the statement under section 164 Cr.P.C. The petitioner is in custody since 18.06.2023 and chargesheet has been submitted in the case

5. The prayer for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

6. Learned counsel for the informant submits that not only the petitioner is named in the FIR but there is direct allegation against him of having been associated with others including his son in kidnapping the minor daughter of the informant.

7. Having heard learned counsel for the parties and taking into consideration the allegation against this petitioner in the FIR, daughter of the informant having returned, the statement of the informant's daughter under section 161 Cr.P.C. as also under section 164 Cr.P.C. as borne out from the order of the learned trial Court, the



petitioner having remained in custody since 18.06.2023 and chargesheet having submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Fatehpur P.S. Case no.22 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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