

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73444 of 2023

Arising Out of PS. Case No.-948 Year-2022 Thana- SIKARPUR District- West Champaran

SANDEEP KUMAR @ SANDEEP KUMAR MANJHI Son of Umesh
Manjhi R/o vill - Gauripur Manjhariya, P.S. - Shikarpur, Distt. - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-11-2023 Learned counsel for the petitioner is permitted to remove
the defect(s), as pointed out by the office, if any, within a period of
three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Shikarpur P.S. Case No. 948 of 2022 dated
18.11.2022 registered for the offence/s punishable u/ss 341, 323, 504,
506, 363, 366A read with section 34 of the Indian Penal Code and
section 8/12 of the POCSO Act.

4. As per the prosecution case, the petitioner with the aid
of the co-accused persons is alleged to have kidnapped the minor
daughter of the informant. Thereafter, the informant went to the
house of the petitioner, then the co-accused persons assaulted the



informant and threatened to kill her son if she files a case.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is love affair between the petitioner and the victim. There is nothing on the record which shows that the victim is forced to have illicit relationship with another person. The victim in her statement recorded under section 161 of the Cr. P.C. has stated that she was in love with the petitioner and she went away from her house of her own will. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 948 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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