

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67897 of 2022**

Arising Out of PS. Case No.-92 Year-2018 Thana- GANDHIMAIDAN District- Patna

KANHAI MANJHI @ DUKHRAN MANJHI S/o Sri Itari Manjhi @ Jhari  
Manjhi R/v- Ratwara, P.S.- Aurai, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Prabha Mishra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      14-03-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Gandhi  
Maidan P.S. Case No. 92 of 2018 registered for the offence  
under Section 366(A) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 02.08.2022.

The allegation against the petitioner is to kidnap the  
minor daughter of the informant aged about 13 years, along with  
other co-accused persons/family members, for the purpose of  
illicit intercourse.



Learned counsel appearing on behalf of the petitioner submitted that victim went on her own with the petitioner and solemnized marriage and, as such, allegation of kidnapping is not appearing true on its face and this fact also surfaced while recording statement of victim under Section 164 of the Cr.P.C. It is submitted that victim has already examined before the learned Trial Court, where she categorically submitted she solemnized marriage with petitioner and living happily, denying the entire allegation in totality. It is also submitted that in view of deposition of victim before the learned Trial Court, any further period of custody shall not serve any purpose of justice.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above and by taking note of statement of victim, as recorded under Section 164 of the Cr.P.C., and her deposition before the learned Trial Court, where she completely denied the occurrence and allegation against the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Gandhi Maidan P.S. Case No. 92 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna/concerned Court, subject



to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

