

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5557 of 2024

Arising Out of PS. Case No.-364 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

Manoj Thakur Son Of Ramyug Thakur Resident Of Village - Khurhan Milik
Ka Tola, P.S. - Alam Nagar, District - Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shanti Devi Wife Of Sri Ajay Thakur Resident Of Village - Ajagaiba, Ward
No.6, P.S. - Saur Bazar, District - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 364c of 2022, instituted for the offence
punishable under Sections 363, 365, 368, 406, 504 and 506 of
the Indian Penal Code.

3. As per the prosecution, in short, the complainant
alleged that five years back accused Manoj Thakur (Petitioner)
took her husband to Delhi for earning there. It is further alleged
that after two months, the petitioner sent Rs. 9000/- to the
complainant and, thereafter, did not send any money. On her
repeated request, Manoj Thakur (Petitioner) arranged telephonic
talk with her husband by Mobile No. 962510996. It is further
alleged that her husband has not returned to his house for five



years and is traceless till date.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the case has been lodged after five years without any plausible explanation. It is further submitted that the husband of the informant is the brother-in-law of the petitioner (*Sala*). Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 364c of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge – II, Saharsa, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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