

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22348 of 2024

Arising Out of PS. Case No.-486 Year-2023 Thana- EKMA District- Saran

1. Nitish Kumar Manjhi son of Dev Kumar Manjhi Village- Gosaigaon Khutkarwa Ps- Ekma Dist- Saran
2. Manoj Sah son of Chhathu Sah Village- Banwer Ps- Daudpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Ekma P.S. Case No.486/2023 for the offences punishable under Sections 366A/34 of the Indian Penal Code.

3. The allegation is petitioner no.2 kidnapped the daughter of the informant with the help of petitioner no.1 for performing marriage.

4. The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and omnibus in nature. It is further submitted that there is delay of two days in lodging the F.I.R. without explaining the reason. It



is further submitted that the victim is major. It is further submitted that the victim in her statement recorded under Section 164 Cr.P.C. did not say anything about her physical assault by the petitioners. The petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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