

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23992 of 2024

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

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Gopal Manjhi S/o Nagina 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 : Mr. Gauri Shankar Gupta,

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 19-04-2024

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, the informant states that his 16 year old daughter disappeared and was not to be found inspite of search. Subsequently, it transpired that the petitioner had taken her away. Co-accused Nagina Manjhi was also involved in the occurrence.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It is submitted that it was a case of love affair between the petitioner and the informant's daughter, their age being about the same. It is for this reason that the case of the petitioner was also transferred to



the Juvenile Justice Board, Gaya, however in absence of any school certificate, age of the petitioner was medically assessed and found to be between 18-19 years. Referring to the statement of the victim girl recorded under section 164 Cr.P.C, it is submitted that from the contents thereof it would be evident that the daughter of the informant had gone with the petitioner out of her own freewill. The petitioner is in custody since 19.6.2023 and undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR wherein the petitioner is said to have taken away the minor daughter of the informant, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. In the facts and circumstances of the case, liberty is granted to the petitioner to renew his prayer for bail after six months or after framing of charge, whichever is earlier.

(Partha Sarthy, J)

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