

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32170 of 2024

Arising Out of PS. Case No.-598 Year-2023 Thana- MADHAURAH District- Saran

Vishal Kumar Manjhi @ Akhilesh Manjhi son of Late Madan Manjhi Village-
Mubarakpur Ps- Marhowrah Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Singh

For the Opposite Party/s : Mr. J.N.Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 21-08-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. This is an application for regular bail on behalf
of the petitioner for the offences alleged under Sections 363,
366(A) and 34 of the Indian Penal Code, registered in
connection with Marhowrah P.S.Case No. 598 of 2023.

3. As per allegation, the petitioner and his brother
Vikash Kumar had kidnapped the minor daughter of the
informant with intent to marry her.

4. The learned counsel for the petitioner has
submitted that the petitioner is innocent and has falsely been
implicated. As a matter of fact, there was love and affection
between the petitioner and the victim. While drawing my



attention towards para-8 of the case diary, the learned counsel has submitted that the victim was not ready to go to her parental house and she consumed bathroom cleaner in a bid to commit suicide and it was the reason that she was kept in the custody of Child Welfare Committee. The learned counsel has submitted further that the FIR itself shows that the victim was more than 17 years of age on the date of occurrence and she was on the verge of attaining the age of majority. While drawing my attention towards para-44 of the diary, the learned counsel has also submitted that the victim refused to go to her parental house and it was the reason that the learned Magistrate directed to keep the victim in the custody of the Child Welfare Committee. It has next been submitted that co-accused Vikash Kumar, on similar allegation, was not sent up for trial and final form has been submitted against him. The petitioner is in prison since 18.09.2023.

5. On the other hand, the learned APP opposing the prayer for bail, has submitted that in her statement under Section 164 of the Cr.P.C., the victim has fully corroborated the allegation, as mentioned in the FIR, to which the learned counsel for the petitioner submitted that the statement of the victim under Section 164 of the Cr.P.C. was extracted after



making pressure by the parents of the victim.

6. Considering the above facts and circumstances of the case, specially the period of custody since 18.09.2023, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Saran at Chapra in connection with Marhowrah P.S.Case No. 598 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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