

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28877 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- SAMASTIPUR District- Samastipur

1. Vikram Kumar son of Sohan Manjhi Resident of Village- Nyouri Ghat, P.S.- Singhia, Dist.- Samastipur
2. Sohan Manjhi Son of Ram Pukar Panjhi Resident of Village- Nyouri Ghat, P.S.- Singhia, Dist.- Samastipur
3. Ram Pukar Manjhi Son of Late Biso Manjhi Resident of Village- Nyouri Ghat, P.S.- Singhia, Dist.- Samastipur
4. Sunil Kumar @ Sunil Manjhi Son of Shankar Manjhi Resident of Village- Nyouri Ghat, P.S.- Singhia, Dist.- Samastipur
5. Jay Mala Devi Wife of Sohan Manjhi Resident of Village- Nyouri Ghat, P.S.- Singhia, Dist.- Samastipur
6. Sangeeta Devi Wife of Mohan Manjhi Resident of Village- Nyouri Ghat, P.S.- Singhia, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 15-05-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Samastipur Town P.S. Case No. 336/2023 instituted under Sections 363, 366 of the Indian Penal Code lodged on 6.12.2023 by the informant, Varsha Kumari.

3. As per the prosecution story, the informant who is the Warden of Girls' Hostel, Model Inter School, Samastipur lodged FIR alleging that during lunch time, the girls came out



but one of them failed to return and despite search, could not be found and as such the FIR.

4. Learned counsel for the petitioners submit that there was some confusion, the girl returned, their names came in the investigation but later, an agreement took place between the parties. He has taken this Court to para-3 to show that the girl has not alleged any wrong doing with her.

5. Learned APP though opposes the prayer though concedes that there is agreement between the parties.

6. Taking into account the aforesaid facts as also that subsequently, the girl has returned and as per Annexure-2 she has not alleged anything against the petitioners, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Samastipur Town P.S. Case No. 336/2023 to the satisfaction of learned Chief Judicial Magistrate, Samastipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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