

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29381 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- BELHAR District- Banka

MANISH KUMAR @ MANISH TURI SON OF KHIRO TURI RESIDENT
OF VILLAGE- BICHCHIBAHYAR, PS- BELHAR, DIST- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-07-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 191 of 2023 registered under Sections 366A/34 of the Indian Penal Code lodged on 06.05.2023 by the informant, Mahendra Turi.

3. As per the prosecution story, the informant alleged that upon return, she found her daughter missing and later came to know that Tiger Kumar Turi has taken her away for the purpose of marriage. Accordingly, the F.I.R.

4. Subsequently, the victim girl recovered and upon return, she made allegation under Sections 161 and 164 of the Cr.P.C. that this petitioner along with Sandeep Kumar and Ranjan facilitated her, forced meeting with Tiger Kumar Turi who took her to Bangalore and later was kept at his relatives house, there some villagers recognized her, informed her family members whereafter she returned.



5. Learned Counsel for the petitioner submits that a bare perusal of the F.I.R. followed by the statement would show that despite moving from Patna to Bangalore, it is not the case of the victim girl that she ever resisted the said movement. He submits that upon return, she has changed her statement, the fact remains that she was in relationship with the Tiger Kumar Turi and this petitioner being closely associated with the said Tiger Kumar Turi, implicated. The last submission is that he do not have criminal antecedent.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that his name has come in the statement of girl.

7. Taking into account the aforesaid facts as also that the said Tiger Kumar Turi has been granted relief in Cr. Misc. No. 6070 of 2024, F.I.R. lodged, will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-Vith cum Special POCSO Judge, Banka in connection



with Belhar P.S. Case No. 191 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner 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 his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner 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;

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

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

