

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42081 of 2024

Arising Out of PS. Case No.-917 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Gautam Manjhi Son of Rajendra Manjhi R/O Vill.- Belauri, P.S.- Lakhisarai,
Dist.- Lakhisarai Petitioner/s

Versus

1. The State of Bihar
2. Nilam Devi W/O Chalitar Chaudhary R/O Vill.- Belauri, P.S.- Lakhisarai,
Dist.- Lakhisarai Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Adv
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lakhisarai P.S. Case No. 917 of 2023 dated 22.11.2023 registered for the offences punishable u/s 366 A, 376 of the Indian Penal Code and Section 6 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant with an intention to solemnize marriage with her daughter.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is a delay of twenty seven



days in lodging the F.I.R. As per the statement of the victim girl recorded under section 164 of Cr.P.C., she went to visit *mela* in Dehri with the petitioner and there is no allegation of sexual assault against the petitioner hence, no case of POCSO is made out against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai, in connection with Lakhisarai P.S. Case No. 917 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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