

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44396 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

1. Umesh Manjhi, S/o Late Jagdish Manjhi,
 2. Sri Manti Devi, W/o Umesh Manjhi
- Both are residents of village- Amarpur, P.S. - Muffasil, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Muffasil P.S. Case No. 138 of 2024 registered for the alleged offences under Sections 363, 366 (A) of the Indian Penal Code and later on Section 8/12 of POCSO Act was added.

3. As per prosecution case, co-accused Nitish Kumar enticed away the minor daughter of the informant with encouragement from the petitioners.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From the FIR, it is apparent that no serious allegation



has been levelled against the petitioners. Allegation against the petitioner is that they were also involved in the occurrence. In her statement recorded under Sections 161 and 164 Cr.P.C., the victim girl has not made any allegation against the petitioners. The learned counsel further submits that rather the petitioner no.1 took the victim girl to her house after coming to know about the occurrence. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering completely vague nature of allegation against the petitioners and further considering the strong possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Nawada, in connection with Muffasil P.S. Case No. 138 of 2024, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and



the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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