

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84552 of 2024

Arising Out of PS. Case No.-69 Year-2022 Thana- SIKTI District- Araria

Manjar @ Manzoor @ Sah Manzoor, male, aged about 51 years, Son of-
Naseer Sah @ Basir, Resident of Village- Salgori, Police Station- Sikty,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate
Mr. Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-12-2024 Heard Mr. Dheeraj Kumar, learned counsel appearing
on behalf of the petitioner and Dr. Ajeet Kumar, learned APP for
the State.

2. Petitioner has renewed the prayer for grant of pre-
arrest bail, which was earlier disposed of directing the petitioner
to surrender before the Court below and seek regular bail.

3. The petitioner seeks pre-arrest bail in connection
with Sikty P.S. Case No. 69 of 2022 registered for the offence
punishable under Sections 147, 149, 341, 323, 379, 363, 365,
504 and 506 of the Indian Penal Code.

4. Learned counsel appearing on behalf of the
petitioner submitted that the victim has been recovered and two
contradictory statement has been given by her first on



26.07.2022, in which no specific allegation has been made against the petitioner, subsequently, statement which was recorded on 29.05.2023, she has denied the allegation made in the FIR. She had stated that co-accused Dildar had raped her. Similarly situated co-accused persons, namely, Shah Mukhtar Alam @ Shah Mukhtar @ Mukhtar, Yasin @ Sah Yasin and Sah Ismail @ Ismail, have already been released on bail by this Court vide order dated 22.12.2023 passed in Cr. Miscellaneous No. 66986 of 2023, order dated 20.07.2024 passed in Cr. Miscellaneous No. 21547 of 2024 and vide order dated 09.08.2024 passed in Cr. Miscellaneous No. 28613 of 2024 respectively. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the fact that victim has not made any allegation against the petitioner in her statement recorded under Section 164 of the Code of Criminal Procedure, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria, in connection with Sikty P.S. Case No. 69 of 2022 , subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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