

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49429 of 2024

Arising Out of PS. Case No.-585 Year-2023 Thana- WAJIRGANJ District- Gaya

Karan Manjhi Son of Sudama Manjhi R/O Vill.- Ichua, P.s.- Wazirganj, Dist.- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dharmendra Manjhi Son of Indra Manjhi R/O Vill.- Bilauna (Ethawan), P.s.- Wazirganj, Dist.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

7 08-01-2025 Heard learned counsel for the petitioner and learned APP for the State. None appears for the informant. Perused the case diary.

2. The petitioner seeks bail in connection with Wazirganj P.S. Case No. 585 of 2023 instituted for the offence under Sections 363, 366(A) of the Indian Penal Code. Later Sections 8 & 12 of the POCSO Act were added.

3. Prosecution case in a nutshell is that petitioner has kidnapped the 15-years-old daughter of the informant and threatened the informant to do whatever he can.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03-10-2023. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is contradiction in the statements of the victim recorded under Section 161 and 164 of the Cr.P.C. It is next submitted that medical report reveals that there is no sign of recent sexual assault. Learned counsel submits that victim had gone on her own will without any inducement or allurements by the petitioner. Learned counsel submits that charge in this case has been framed, but none of the witness has been produced to depose before the court below.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that charge sheet has been submitted in this case under Sections 363, 366A of the IPC and Sections 8 & 12 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner and charge being framed, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Wazirganj P.S. Case No. 585 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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