

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63420 of 2024

Arising Out of PS. Case No.-238 Year-2024 Thana- FATEHPUR District- Gaya

Ramashish Manjhi @ Aashish Manjhi Son of Bisundhari Manjhi @ Bishun
Manjhi R/O Village- Sultanpur, P.S.- Tankuppa, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ganesh Manjhi S/O- Karu Manjhi R/O-Vill- Raushna, P.S.-Fatehpur,
District-Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s	:	Mrs. Madhuri Lata, APP
For the Informant	:	Mr. Girish Nandan Abhishek, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 20-01-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 238 of 2024, instituted for the offences
punishable under Sections 366-A and 34 of the Indian Penal
Code.

3. The prosecution case, in short, is that, minor
daughter of the informant did not return home till evening and
went missing. It is suspected that the petitioner along with other
co-accused persons have abducted the minor daughter of the
informant as some altercation took place between the victim and



daughter of the co-accused namely, Kuna Devi and they have also threatened her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is delay of two days in lodging the FIR. The allegation levelled against the petitioner is general and omnibus in nature. No specific allegation has been attributed against the petitioner. The victim girl was recovered and in her statement recorded under Section 164 Cr.P.C. she has stated nothing against the petitioner. The petitioner is in custody since 11.05.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State also submits that the petitioner is named in the FIR and there is specific allegation against the petitioner of kidnapping minor daughter of the informant. Police after investigation submitted charge-sheet under Sections 376, 366(a), 494 of the Indian Penal Code and Section 4 of the POCSO Act as well as Section 9 of *Bal Vivah* Act. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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