

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75045 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- Patarghat District- Saharsa

Manoj Kumar Sharma @ Monu Ray, Male, aged about 38 years, S/O Late Shivmangal Ram, R/O Village- Pakaria Ghat, Post- Ghumma, P.S- Town (Godda), Distt.- Godda, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Ram, S/O Late Diwakar Ram, R/O Village- Bhaddhi, Ward No. 16, P.S- Patarghat, Distt.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Patarghat PS Case No.55 of 2024 dated 16.04.2024, instituted under Sections 366/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he lured the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Further submission is that it is admitted fact that the daughter of the informant is aged about 20 years and she was having love affairs with the petitioner. FIR has been lodged after



eleven days of the occurrence. The victim girl herself appeared before the police and her statement was recorded under Section 164 Cr.P.C. in which she has specifically stated that she voluntarily went out of her house on 5th April, 2024, and reached Madhepura Junction from where in the next morning she went to Bhagalpur and then to Godda. She has performed marriage with the petitioner. Upon getting knowledge about the present case, she has returned. Thus, the victim has not supported the case of the prosecution. It is further submitted that earlier also Saharsa Sadar PS Case No.868 of 2023 was lodged against the petitioner in which the police after investigation submitted final form on 31.12.2023 as “Mistake of facts”. At that time also, the victim was major. Lastly, it is submitted that petitioner has antecedent of one case in which final form was submitted which has been accepted by the Court. The said case was lodged by the same informant.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa, in Patarghat PS Case No.55 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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