

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77163 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

Sandeep Kumar Son of Sri Aklu Manjhi @ Haklu Manjhi Resident of Village
- Uprahuli, P.S. - Paraiya, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Karan Kumar Son of Rajesh Manjhi Resident of Village - Turikala, P.S. -
Magadh University, District - Gaya

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in
connection with Magadh University P.S. Case No. 66 of 2024,
registered for the alleged offences under Section 366A of the
Indian Penal Code.

3. As per prosecution case, the petitioner with the help
of other co-accused persons enticed away the minor sister of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The sister of the informant is not a minor as her age was



assessed in the medical examination to be 19 years. She has solemnized marriage with the petitioner on 29.03.2024 and her statement under Section 164 Cr.P.C. was also recorded wherein she has stated that she voluntarily left her house and called the petitioner and thereafter she stayed in his house and solemnized marriage. Before the learned Magistrate she showed her willingness to go her matrimonial home along with father-in-law. The petitioner is in custody since 30.03.2024 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Despite service of notice no one appeared on behalf of the informant.

6. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that from the FIR it is apparent that the sister of the informant was minor and her consent is immaterial.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the statement of the victim girl absolving the petitioner and also considering her medically assessed age, the petitioner above named is directed to 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 learned Special Judge,
POCSO Court -cum- Additional Sessions Judge-VI, Gaya
/concerned Court in connection with Magadh University P.S.
Case No. 66 of 2024, subject to the conditions mentioned in
Section 437(3) of the Code of Criminal Procedure and also the
following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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