

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1600 of 2021**

Arising Out of PS. Case No.-21 Year-2019 Thana- MAHILA P.S. District- Siwan

VIKKY KUMAR MANJHI @ VICKY KUMAR SON OF BIRBAL MANJHI
ALIAS BIRBAL PRASAD SINGH RESIDENT OF VILLAGE-
MANJHAGARH, P.S.-MANJHAGARH, DISTRICT-GOPALGANJ, AT
PRESENT RESIDING AT VILLAGE-AINTHAPALI, P.S.-AINTHAPALI,
DISTRICT-SAMBALPUR, (ORISSA).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Ajay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-09-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the
office vide its notes dated 04.01.2021, within four weeks of
starting of Court proceeding in physical mode in normal
course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 21 of 2019, registered under Section
376 of the Indian Penal Code and Section 4, 6 and 8 of the
Protection of Children from Sexual Offences Act (POCSO),
pending in the court of the learned Addl. Sessions Judge-VI,
Siwan.

The accusation is that Vikky Kumar Manjhi



(Petitioner), who is uncle in relation of the minor daughter of informant, Shila Devi committed rape upon the daughter of informant, on the fear of the weapons. When daughter of informant started vomiting then, on query, informant came to know about committing rape upon the daughter of informant and he also administered medicine to her daughter for abortion.

Learned counsel appearing on behalf of petitioner submits that, in fact, the petitioner is cousin of the husband of the informant and the petitioner used to reside at the house of his maternal uncle and to vacate the house, the informant lodged the present case.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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