

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17579 of 2024

Arising Out of PS. Case No.-262 Year-2023 Thana- MAGADH UNIVERSITY District- Gaya

UPENDRA MANJHI S/O DHANESHWAR MANJHI R/O VILLAGE-
PARAIYA, P.S- MAGADH UNIVERSITY, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 354, 379, 504, 506 of the Indian Penal Code and Sections 6, 8 and 12 of the POCSO Act.

3. As per FIR, the informant alleged that the petitioner and co-accused persons tried to outrage the modesty of the informant's daughter.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case due to previous land dispute. There is inordinate delay of approximately three months without given any cogent reason. As per Paras 8 and 9 of the bail petition, it appears that the victim has not stated about any wrong doing or rape against the petitioner and as per Medical Report, sign and symptom of recent intercourse was not found on her body. It is further submitted that the petitioner has got no criminal antecedent. Similarly situated co-accused has already been granted bail by this Court vide order dated 18.01.2024 passed in Cr. Misc. No. 74803 of 2023. Moreover, the petitioner is languishing in judicial custody since 13.12.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Magadh University P.S. Case No. 139 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO Court Addl.



District and Session Judge-VIth, Gaya.

(Sunil Kumar Panwar, J)

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