

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40688 of 2024**

Arising Out of PS. Case No.-86 Year-2024 Thana- RAMNAGAR District- West Champaran

Nanhu Manjhi S/O Shiv Pujan Manjhi R/O Village Murila, P.S. Ram Nagar,  
Dist. West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/O Bihari Mushahar R/V Khatauri, P.O. Gudguddi, P.S. Ramnagar, Distt-West Champaran

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate  
For the Opposite Party/s : Mr. Anish Chandra, APP

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

ORAL ORDER

5      23-10-2024                      Heard learned counsel for the petitioner, learned APP for the State and perused the case diary. However, none appears on behalf of the opposite party no. 2 despite valid service of notice.

2. The petitioner seeks bail in connection with Ram Nagar P.S. Case No. 86 of 2024 instituted for the offences under Sections 363, 366A, 34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. Allegation against the petitioner and the co-accused persons is that they have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has not supported the case of the prosecution. Learned counsel further submitted that victim has categorically stated that victim had left her house on her own free will. Learned counsel further submitted that as per medical report there is evidence of sexual assault. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.03.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the statement of the victim recorded under Section 164 of the Cr.P.C. as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court



below/concerned Court in connection with Ram Nagar P.S. Case  
No. 86 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of  
the family of the petitioner.

(II) The petitioner shall appear on each and every date  
fixed at the trial. In case of default in such appearance on two  
consecutive dates, the Trial Court will have liberty to cancel the  
bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the  
witnesses, in that case, the prosecution will be at liberty to move  
for cancellation of bail.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

