

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40474 of 2024

Arising Out of PS. Case No.-65 Year-2022 Thana- ISHUPUR BARAHAT District- Bhagalpur

Manikant Goshwami Son of Kailash Goshwami @ Kailash Goswami R/O
Vill.- Nayatola, Badluganj (Gangarampur), P.S.- Ishipur, Barahat, Dist.-
Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Parwati Devi W/O Karu Pandit R/O Vill.- Gangarampur, P.S.- Ishipur,
Barahat, Dist.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar No.6, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP
For the Informant	:	Mr. Rakesh Soni, Advocate

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

ORAL ORDER

4 18-11-2024 Heard learned counsel for the petitioner and learned APP

for the State as also learned counsel for the Informant. Perused

the case diary.

2. The petitioner seeks bail in connection with

POCSO Case No. 117/2022 arising out of Ishipur Barahat P.S.

Case No. 65 of 2022 instituted for the offence under Sections
366(A), 120(B), 504 & 506 of the Indian Penal Code and

Section 4 of the POCSO Act.

3. Prosecution case in a nutshell is that petitioner has

eloped the daughter of the informant for the purpose of

marriage.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22-02-2024. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that daughter of the informant is currently residing in the house of the petitioner and she has one child. Even in the statement of the victim recorded under Section 164 of the Cr.P.C. she has stated that she had fled with the petitioner at her own volition and petitioner has not committed any forceful act with her. There is delay of ten days in lodging of the FIR. It is next submitted that medical report also does not suggest any recent sign of sexual assault.

6. Learned A.P.P. for the State and learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted by referring to paragraph No. 35 of the case diary that victim is minor.

7. Considering the aforesaid facts and circumstances of the case, taking into account the fact that daughter of the informant is living in the petitioner's house having a child and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.



8. 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 POCSO Case No. 117/2022 arising out of Ishipur Barahat P.S. Case No. 65 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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