

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42480 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- BODHGAYA District- Gaya

Suresh Manjhi, aged about 82 years, Male, Son of Late Kishun Manjhi,
Resident of Village-Ghonghariya Tola, Ghato Jamuntar, P.S.-Bodhgaya,
District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanyat Kumari, Wife of Santosh Kumar, Resident of Village-Dumri, Post-Bakraur, P.S.-Bodhgaya, District-Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Bodhgaya P.S. Case No. 139 of 2023 instituted for the
offences punishable under Sections 341, 323, 447, 354, 379 and
506/34 of the Indian Penal Code and Sections 8 and 12 of the
POCSO Act.

3. As per the prosecution case, the allegation against
the petitioner is that he has outraged the modesty of a minor
girl.

4. Learned counsel for the petitioner submits that
petitioner is innocent has committed no offence and has falsely



been implicated in this case due to dirty village politics. It is further submitted that the main allegation of outrage of modesty of the sister-in-law of the informant's (minor girl) is against one another co-accused namely Ranjit Kumar. He next submits that there is only general and omnibus allegation against 18 co-accused persons including the petitioner. He further submits that the main accused namely Ranjit Kumar is the son of the petitioner in this case and the petitioner has been falsely implicated in this due to only being the father of the said accused in this case. Petitioner has got clean antecedent as stated in para 3 of the petition.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Special Judge POCSO Court-cum-Additional District and Sessions Judge-VI, Gaya dated 05.03.2024, it appears that petitioner is an old person There is no any specific allegation of overt act against him rather there is only sweeping allegation of assault and snatching of silver chain against the petitioner. This case is outcome of village rivalry to harass almost entire villager of the locality. The main co-accused person namely Ranjit Kumar @ Ranjit has been granted regular bail by this Court in Cr. Misc. No. 6252 of 2024 vide order



dated 16.02.2024 respectively, so considering all these aspects let the petitioner above named in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J.-VI, Gaya in connection with Bodhgaya P.S. Case No. 139 of 2023, subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

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