

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11132 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- MANER District- Patna

Vikash Kumar Son of Tuntun Singh @ Tunntun Ray @ Tutun Singh @ Tutun
Rai Resident of Village - Hulasi Tola, P.S.- Maner, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari Daughter of Ram Kumar Mahto Village - Hulasi Tola, P.S.-
Maner, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Durgesh Nandan, Advocate
		Ms. Puja, Advocate
For the State	:	Mr.Rajendra Nath Jha, APP
For O.P. No. 2	:	Ms. Rashmi Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 02-07-2025 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel appearing on behalf of

opposite party no. 2/informant.

2. In the present case, the petitioner seeks bail in
connection with Maner P.S. Case No. 116 of 2024 registered for
the alleged offences under Sections 323, 341, 354, 504, 506 of
the Indian Penal Code and Sections 4 and 8 of POCSO Act.

3. As per prosecution case, the petitioner sexually
assaulted the minor informant and fled away from the spot when
the informant started crying. Further allegation is that the
petitioner has been stalking the minor informant and used to
make dirty talk in presence of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner as complainant has filed Complaint Case No. 230 of 2024 against the brothers and parents of the informant. The informant is major and though she stated her age to be 17 years but her age mentioned in the admit card of BSEB examination is 15 years 1 month on the alleged date of occurrence which shows the informant has not disclosed her correct age. The parties are next door neighbours and are on litigating terms. Now, the matter has been compromised between the parties. The petitioner is in custody since 23.12.2024 and charge sheet has been submitted. The petitioner has criminal antecedent of one case.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner that he sexually assaulted the informant who is a minor girl. The complaint case has been filed by the petitioner after institution of the FIR of the present case. However, learned counsel appearing on behalf of opposite party no. 2/informant submits that good sense has prevailed and the parties have compromised the matter.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to 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 learned Additional Sessions Judge VII cum Special Judge, POCSO, Patna/concerned Court in connection with Maner P.S. Case No. 116 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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