

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18340 of 2025

Arising Out of PS. Case No.-890 Year-2023 Thana- KAHALGAON District- Bhagalpur

Manikanchan Kumar Son of Dashrath Mandal Residence of village -
Madhuban Tola, P.O.- Bakharpur, P.S.- Pirpainty, Dist.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yugal Kishore Mandal Son of Late Bhola Mandal Residence of village -
Ghutiyan, P.O.- Madarganj, P.S.- Amadanda, Dist.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pravin Kumar Sinha, Advocate
For the State	:	Mr. Nagendra Prasad, APP
For the Informant	:	Ms. Ojaswee Kumari, Advocate

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

ORAL ORDER

4 25-06-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant.

2. The petitioner seeks bail in connection with
Kahalgaon P.S. Case No. 890 of 2023 instituted for the offence
under Sections 363, 365 & 34 of the Indian Penal Code and
Section 8 of the POCSO Act.

3. As per prosecution case, petitioner along with other
co-accused enticed away the informant's daughter.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16-12-2024. Petitioner
bears no criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that petitioner has solemnized marriage with the victim and she is living in the house of the petitioner. Referring to the statement of the victim recorded under Section 183 of the BNSS, it is submitted that she has solemnized marriage with the petitioner at her own volition. Even as per medical report, it is opined that there is no clinical evidence of recent sexual intercourse. Police after completion of investigation has submitted charge sheet in this case under Section 366A of the IPC and Section 8 of the POCSO Act.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submits that victim is residing in the house of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no allegation of overt act in the statement of the victim recorded under Section 183 of the BNSS, 2023 and charge sheet being submitted under Section 366A of the IPC and Section 8 of the POCSO Act, 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 Kahalgaon P.S. Case No. 890 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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