

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17890 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Manish Kumar Son of Nagina Sahni Resident of Mohalla - Nakhash Chauk,
P.S.- Town Hajipur, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi Wife of Late Gajendra Rai Resident of Mohalla - Lakshmi Nagar,
P.S.- Industrial Area, District - Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Adv
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 16-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Industrial

Area P.S. Case No. 41 of 2024 registered for the offences under

Sections 363, 365 and 366(A)/34 of the IPC and POCSO G.R.

Case No. 16 of 2025 under Section 8/12 of the POCSO Act.

3. The petitioner is named in the F.I.R. and is in custody

since 19.09.2024.

4. The allegation as per FIR is that daughter of

informant aged about 17 years on 20.03.2024 at about 6:30 PM,

left home for market with her friend namely Amisha with mobile

no. 9128429015. Informant raised suspicion that her daughter

was kidnapped for immoral trafficking.



5. Learned counsel appearing on behalf of the petitioner submitted that as per FIR daughter of the informant did not left her house with petitioner, rather with her friend Amisha. It is pointed out that the daughter of informant was working with orchestra party and she frequently visited outside home in her professional capacity. It is pointed out that petitioner was in touch with daughter of informant in his professional capacity and, therefore, making call to her was a normal act, therefore, on the basis of CDRs petitioner cannot be connected with present crime in question. While concluding the argument it is submitted that, petitioner found involved in seven more cases, where he is on bail in all cases and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as prima-facie merely on the basis of CDRs implication of petitioner was made with the present case, where FIR categorically suggests that the daughter of informant left her house with her friend and not with this petitioner, coupled with the fact as petitioner remains in custody since 19.09.2024,



accordingly above named petitioner, is directed to be released on bail in connection with Industrial Area P.S. Case No. 41 of 2024, POCSO G.R. Case No. 16 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-VI cum Special Judge POCSO, Hajipur Vaishali/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

