

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28022 of 2025

Arising Out of PS. Case No.-766 Year-2024 Thana- KOTWALI District- Patna

Manoj Kumar @ Guchhu @ Manoj Das S/O Sri Ra Babu Das R/O Mohalla-
Chiraiyatar, Postal Park, Budha Nagar, Road No. 1, P.S- Kankarbagh, Distt.-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP
For the Informant : Mr. Akansha Malviya, Adv.

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

ORAL ORDER

6 30-10-2025 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 Kotwali

P.S. Case No. 766 of 2024 instituted for the offences under

Section 137(2) of the B.N.S. and added Sections 111(1) and 3/5

of the B.N.S.

3. As per prosecution case, the Informant's three years

old daughter went missing from home and despite efforts to

locate her, she could not be traced out. Hence, the F.I.R. against

the unknown person.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. There is no eye-witness to the alleged occurrence. The petitioner is not named in the F.I.R. and, on the basis of C.C.T.V. footage, the petitioner has been implicated in the present case. Learned counsel for the petitioner further submits that during Narcotics test, no evidence came against the petitioner. It is further submitted that in the entire record of the case, nothing adverse has come against the petitioner. The petitioner has one criminal antecedent and is languishing in judicial custody since 12.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State as well as the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that the petitioner has been seen in the CCTV footage of taking with him the small girl. Learned counsel for the State further submits that the petitioner in his confessional statement has confessed that he took the girl child with him, kept her the entire day and, in night, she started crying and to pacify her, he closed her mouth for a long time due to which she died. The Investigating Officer, after completion of investigation, has submitted charge-sheet against



the petitioner for offence under Sections 137(2), 111(1), 3(5) of the B.N.S.

6. Having heard learned counsel for the parties and taking into account the gravity and nature of the offence as alleged against the petitioner as also the materials available in the case diary, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected at this stage.

(Rudra Prakash Mishra, J)

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