

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28412 of 2025

Arising Out of PS. Case No.-445 Year-2024 Thana- GAYA MUFASIL District- Gaya

Karu Kumar @ Karu Manjhi @ Indal Manjhi aged about 19 years (male) Son of Bhunka Manjhi @ Rajesh Manjhi, Resident of Mohalla- Manpur (Sudhi Tola) Kurmi Tola, P.S.- Mufassil (Bunyadganj), District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi W/O Suraj Kumar R/O Mohall- Manpur Kurmi Tola, P.S- Muffassil, Distt.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party/s :	Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-08-2025 Heard Mr. Sheikh Arkan Ahmad, learned counsel appearing on behalf of the petitioner and Mr. Pradeep Narain Kumar, learned APP for the State.

2. Petitioner seeks regular bail in connection with Muffassil P.S. Case No. 445 of 2024 and POCSO Case No. 197 of 2024 registered for offences punishable under Sections 366A, 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the allegation made in the FIR, petitioner, with an intention to marry, had kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has



falsely been implicated in this case. He further submitted that the petitioner and the victim were in love relationship. The victim in her statement recorded under Section Section 183 BNSS has stated that she had gone with the petitioner out of her own will and stayed with the petitioner for nearly twenty days and she, on her own, had returned back to her home and is living with her parents. She has not alleged anything against the petitioner with regard to physical assault, rather, she has stated that she had willingly entered into physical relationship with the petitioner. The petitioner is in custody since 29.06.2024. On these grounds, petitioner seeks to be released on bail.

5. Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the petitioner and the victim were in love relationship. The victim in her statement recorded under Section Section 183 BNSS has stated that she had gone with the petitioner out of her own will and stayed with the petitioner for nearly twenty days and she, on her own, had returned back to her home and is living with her parents. She has not alleged anything against the petitioner with regard to physical assault, rather, she has stated that she had willingly



entered into physical relationship with the petitioner. The petitioner is in custody since 29.06.2024. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on bail.

7. The learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VI Cum Special Judge of POCSO Gaya, in connection with Muffassil P.S. Case No. 445 of 2024 and POCSO Case No. 197 of 2024 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.



(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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