

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29323 of 2025

Arising Out of PS. Case No.-679 Year-2024 Thana- MADHAURAH District- Saran

Sikandar Manjhi @ Sikendar Manjhi Son of Shivjee Manjhi Resident of
Village - Ruprahimpur, Police Station - Marhowrah, District - Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant
of regular bail in connection with Marhowrah P.S. Case No. 679 of
2024 dated 06.12.2024 registered for the offences punishable u/ss
64 of the B.N.S.

3. As per the prosecution case, the petitioner is alleged
to have caught the informant by catching hold of her hair and
assaulted her and forcibly committed rape on her.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. There is no eye witness to the alleged occurrence. Nothing
has been recovered from the conscious possession of the



petitioner. Learned counsel has further submitted that as per the medical report, there is no sign on the body of the informant. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.12.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation of committing rape is against the petitioner. Learned counsel has further submitted that the victim in her statement recorded u/ss 183 and 180 of the B.N.S.S. has supported the prosecution case. Learned counsel has further submitted that it is settled law that the ocular evidence always prevails on the medical report.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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