

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31193 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- PAWANA District- Bhojpur

Manish Kumar @ Manish Kumar Singh S/o Rajesh Singh R/o Village-
Paharpur Khurd, P.S.- Pawana, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Mishra, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP
for the Informant	:	Ms. Priya, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioner seeks bail in connection with Pawana P.S. Case No. 02 of 2025, registered on 01.01.2025, for the alleged offences under Sections 108, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the petitioner entered into the house of the informant in the night and molested the minor granddaughter of the informant. The petitioner was apprehended and handed over to the police. In the morning, the brother of the petitioner came to the doors of the informant and started abusing her granddaughter who committed suicide and the informant showed her suspicion that the petitioner might have committed



rape with her granddaughter and due to his act, she committed suicide in the next morning.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR has been lodged after much delay. The father of the petitioner has filed Pawana P.S. Case No. 01 of 2025 against the husband of the informant, her son and her grandson under Sections 126(2), 115(2), 303(2), 109(1)/3(5) of BNS for assaulting the petitioner and robbing Rs. 50,000/- from him. The petitioner was referred to PMCH since he suffered multiple type of injuries and thereafter, he was further referred to AIIMS, Patna. The petitioner was arrested from the hospital and remanded to judicial custody on 18.02.2025. Learned counsel further submits that when the informant's husband, son and grandson were arrested, they did not utter anything about any occurrence taking place and their arrest memo were accepted by their family members. The inquest report and the postmortem report do not show any kind of sexual assault. Learned counsel further submits that from the facts, it is apparent that the petitioner did not instigate the granddaughter of the informant to commit suicide as from the FIR, it is clear that he was already apprehended and handed over to the police. The petitioner is



having clean antecedent. The petitioner is in custody since 18.02.2025 and charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that due to the act of the petitioner, the granddaughter of the informant was compelled to commit suicide.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner for commission of offence of instigating the granddaughter of the informant for taking any extreme step and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to 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 learned Additional Chief Judicial Magistrate-I, Bhojpur at Ara/court concerned in connection with Pawana P.S. Case No. 02 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

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

