

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33388 of 2025**

Arising Out of PS. Case No.-65 Year-2025 Thana- PATAHI District- East Champaran

Mani Bhusan Kumar Son of Imirit Mahto Resident of Village- Badka Baluwa,  
PS- Patahi, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar  
2. Meera Devi, Wife of Prayag Mahto, Resident of Village - Bokanekla, P.S.  
Patahi, District - East Champaran.

... .. Opposite Party/s

**Appearance :**

|                      |   |                                   |
|----------------------|---|-----------------------------------|
| For the Petitioner/s | : | Mr.Dhannjay Kumar No 2, Advocate  |
| For the State        | : | Mr.Umeshanand Pandit, APP         |
| For the O.P. No. 2   | : | Mr. Sanjay Kumar Pandey, Advocate |

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      13-08-2025                      Heard learned counsel for the petitioner and learned  
  
APP for the State as well as learned counsel appearing on behalf  
  
of opposite party no. 2.

2. In the present case, the petitioner seeks bail in  
  
connection with Patahi P.S. Case No. 65 of 2025 registered for  
  
the alleged offences under Sections 96, 3(5) of B.N.S. and  
  
Section 8 of POCSO Act.

3. As per prosecution case, the petitioner with the  
  
help of other co-accused persons kidnapped the daughter of the  
  
informant.

4. Learned counsel for the petitioner submits that  
  
the petitioner is innocent and has been falsely implicated in this



case. No occurrence as alleged has ever taken place. The victim girl has been recovered and her statement has been recorded under Section 183 of B.N.S.S. as well as Section 180 of B.N.S.S. In her statement recorded under Section 183 of B.N.S.S. she stated that she wanted to marry the petitioner and she fled away from her house and coming to know about lodging of case, they returned. She even showed her willingness to go to the house of the petitioner. Learned counsel further submits that the victim girl has not levelled allegation of any wrongful act or sexual assault against the petitioner. On medical examination, the age of the victim was found to be between 16 to 17 years. However, from the school certificate, her age was found to be more than 17 years and so the victim was major at the time of elopement. Learned counsel further submits that the parties have now compromised the matter and an application has been filed before the concerned police station. The petitioner is in custody since 17.02.2025 and charge sheet has been submitted. The petitioner is aged about 20 years and he is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submit that the victim girl was minor and her consent is immaterial. However, learned



counsel appearing on behalf of the informant/opposite party no. 2 admits the factum of compromise and submits girl's family members do not want to continue with the matter any further.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the the period of the custody of the petitioner and submission of charge sheet in the background of nature of allegation, 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 7th District & Additional Sessions Judge -cum- Special Judge, POCSO Act, East Champaran /concerned Court in connection with Patahi P.S. Case No. 65 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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)

DKS/-

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