

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34109 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- ARIYARI District- Sheikhpura

Dharamveer Kumar @ Dharamveer Kumar Manjhi S/O Rajkumar Manjhi
R/O Village- Bisayhyiya sanaiya Tola, PS- Ariyari, District- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi W/O Jitendra Manjhi R/O Village- Bisayhyiya sanaiya Tola, PS- Ariyari, District- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 08-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Ariyari
P.S. Case No. 104 of 2024 registered for the offence under
Sections 366A/ 34 of IPC and Section 8 of POCSO Act.

3. The petitioner is named in the F.I.R. and is in
custody since 24.03.2025.

4. The allegation against the petitioner is to kidnap
minor daughter of informant aged about 15 years on
02.04.2024 at about 4:30 AM, by petitioner and other co-
accused persons, while she went outside to attend call of nature

5. Learned counsel appearing on behalf of the
petitioner submitted that present occurrence was lodged as a



counter case of Ariyari P.S. Case No. 101 of 2024 lodged by the parents of the victim against informant and others. In support of submission, learned counsel drawn attention of this Court towards para no. 59 of case diary, where the date of occurrence was stated as 05.04.2024 at about 7 AM in terms of statement of victim recorded under Section 183 of BNSS. Considering aforesaid aspect, learned trial court granted anticipatory bail to similarly situated co-accused namely, Deva Manjhi and Janardan Manjhi.

6. Arguing further, it is submitted that almost with no progress in trial, petitioner remains in custody for about nine months. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposed the prayer of bail.

8. Learned APP submitted that notice as issued by this Court was served validly upon grandmother of the victim through concerned SHO.

9. Service report submitted across the board which



was taken on record.

10. Despite of valid service of notice, informant failed to join present pending proceeding.

11. In view of aforesaid factual submission and by taking note of fact as in view of statement of victim as occurrence is of 05.04.2024 which makes the occurrence as alleged by informant doubtful on its face as same was said to be taken place on 02.04.2024 at about 4:30 AM, where petitioner remain in custody for about nine months with almost no progress in trial, accordingly petitioner above named, is directed to be released on bail in connection with Ariyari P.S. Case No. 104 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Addl. Sessions Judge cum Exclusive Spl. Judge (POCSO), Sheikhpura /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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