

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43299 of 2025

Arising Out of PS. Case No.-475 Year-2024 Thana- PAKARIBARAW District- Nawada

Mahendra Manjhi S/O Hando Manjhi Resident of village- Mathgulni, PS-
Pakribarawan, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gauri Kumari D/O Bago Manjhi Resident of village- Kachna, PS-
Pakribarawan, District- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Ashok Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 15-12-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Pakribarawan P.S. Case No. 475 of 2024 instituted for the
offences under Sections 318(4), 64 of the Bharatiya Nyaya
Sanhita, 2023 and Sections 8/12 of the POCSO Act.

3. Allegation against the petitioner is of commission of
rape upon the victim girl.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel further submitted that there is a



delay of three months in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that, as a matter of fact, the victim was in love with the petitioner and when she learnt that the petitioner is already married, she lodged the false case against the petitioner. The petitioner never forced victim to establish physical relations. Learned counsel further submitted that from perusal of the FIR, it appears that it is case of consensual relationship. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR and the same is further substantiated by the medical report of the victim, and therefore, the petitioner does not deserve to be released on bail. Learned APP further submitted that police after investigation, submitted charge-sheet against the petitioner under Sections 318(4), 64 of the Bharatiya Nyaya Sanhita, 2023.

6. Considering the aforesaid facts and circumstances



of the case as also Section 183 BNSS statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of four months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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