

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48679 of 2025

Arising Out of PS. Case No.-174 Year-2022 Thana- OBRA District- Aurangabad

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1. Manish Yadav @ Manish Kumar @ Manish Yavad S/o Upendra Yadav Resident of Village- Manikpur, P.S.- Obra, District- Aurangabad
 2. Devendra Yadav @ Devendra Kumar @ Sourav Suman Kumar S/o Dudhnath Yadav @ Meghnath Singh Resident of Village- Ramjiwan Bigha, P.S.- Obra, District- Aurangabad
 3. Amaresh Kumar S/o Sanjay Chandravanshi @ Sanjay Prasad Resident of Village- Chapra, P.S.- Obra, District- Aurangabad
 4. Munna Kumar @ Munna Thakur S/o Vyas Thakur Resident of Village- Chapra, P.S.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/o village- Chapra, P.S.-Obra, District-Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Obra P.S. Case No. 174 of 2022 instituted for the offence under Sections 341, 342, 354, 354(b), 354(d) and under Section 8/12 of the POCSO Act and also under Section 3(1)(r), 2(va) of the SC/ST Act.

3. The case of the prosecution is that the daughter of



the informant was coming from coaching class towards her house, in the meanwhile four persons on the road including the petitioner stopped the daughter of the informant and abused her with caste name. The petitioner along with Devendra Yadav caught hand of the daughter of the informant and were taking in a semi-constructed house and threatened to rape her. It is further alleged that the daughter of the informant gave tooth bite to Manish Kumar and anyhow managed to flew away.

4. Learned counsel for the petitioners has submitted that this is a case of 27.04.2022 whereas FIR has been lodged on 01.05.2022. There is delay of 5 days. Delay is not explained. Learned counsel has further submitted that police has filed final form but learned trial court has taken cognizance against the petitioners. It has also been submitted that cognizance is not material for consideration of bail.

5. Learned APP for the State has vehemently opposed the bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Obra P.S. Case No. 174 of 2022, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned ADJ-VI-cum-Special Judge, POCSO Act, Aurangabad, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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