

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48399 of 2025**

Arising Out of PS. Case No.-16 Year-2024 Thana- BARAHAT District- Banka

Manish Kumar S/o- Yogendra Mandal @ Yoginder Mandal Resident Of
Village- Ratanpur, Ps- Barahat, Dist- Banka

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Sushila Devi W/o- Dabloo Mandal Village- Ratanpur Ps- Barahat Dist- Banka

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rakesh Kumar Samrendra, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP
For the Informant : None

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

ORAL ORDER

4 13-10-2025 Heard learned counsel for the petitioner and learned

APP for the State. None appears on behalf of the informant

despite notice being validly served.

2. The petitioner seeks bail in connection with Barahat

P.S. Case No. 16 of 2024 instituted for the offences under

Sections 376 of the Indian Penal Code and 4/6 of the POCSO

Act.

3. Allegation against the petitioner is of committing

the rape upon the informant’s minor daughter.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that charge-sheet has been submitted and cognizance has also been taken. Learned counsel further submitted that medical report does not support the case of the prosecution. Learned counsel further submitted that, as a matter of fact, the present case is the counter-blast of earlier case Barahat P.S. Case No. 187 of 2007 lodged by the mother of the petitioner against the family members of the O.P. No. 2. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.11.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that Section 164 statement of the victim totally corroborates the contents of the FIR. Learned APP further submitted that there are fifteen charge-sheeted witnesses in the present case and out of them, three have already been examined. Learned APP, therefore, prays that the petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence and there being ample evidence against the petitioner to show his involvement in the alleged offence, 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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