

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51406 of 2025**

Arising Out of PS. Case No.-36 Year-2025 Thana- MANPUR District- West Champaran

Niraj Kumar, S/o Late Phulena Ram, R/o Village- Chailabhar, Ward No. 09,  
P.S.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/o Village- Damrapur, Ward No. 08,  
P.S.- Manpur, District- West Champaran

... .. Opposite Party/s

**Appearance :**

|                      |   |                                |
|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr. Gauri Shankar Thakur, Adv. |
| For the State        | : | Mr. Narendra Kumar Singh, APP  |
| For the Informant    | : | Mr. Balram Kapri, Adv.         |

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

3      15-10-2025                      Heard Mr. Gauri Shankar Thakur, learned counsel  
  
for the petitioner, Mr. Narendra Kumar Singh, learned APP for  
the State and Mr. Balram Kapri, learned counsel for the  
informant (O.P. No. 2).

2. Petitioner seeks regular bail in connection with  
Manpur P.S. Case No. 36 of 2025, arising out of Complaint  
Case No. 17C of 2025, registered for the offences punishable  
under sections 115(2), 103(1), 109, 69, 64, 308(4), 315 and 3(5)  
of the Bharatiya Nyaya Sanhita, sections 6 and 4 of the POCSO  
Act and sections 67 and 67A of the Information Technology Act.

3. The main submissions advanced by petitioner's  
counsel are that the petitioner has been languishing in jail since



19.04.2025, having fair and clean antecedent and he is suffering from HIV disease and the allegations levelled by the informant, who happens to be sister-in-law of the petitioner, is completely unbelievable, as according to her, the petitioner first established physical relationship with her in the year 2022 and thereafter, continued exploiting her physically but she remained silent until filing of the complaint, which was later sent to the police, however, a good relation has established in between the petitioner and the complainant, who is presently a major girl.

4. Learned counsel appearing for the informant (O.P. No. 2) accepts the aforesaid good relation having established between both the parties and he has no opposition to the petitioner's prayer.

5. Learned APP for the State has opposed the prayer of the petitioner and submits that there are serious allegations against the petitioner, who first tortured the complainant's sister and after her death, he exploited the complainant physically and mentally.

6. In the facts and circumstances of this case and considering the above mentioned stated facts and mainly the petitioner's HIV disease as stated by petitioner's counsel and his custody period and completion of investigation against him, this



Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Manpur P.S. Case No. 36 of 2025.

(Shailendra Singh, J)

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