

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52044 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- Cyber P.S. District- Saharsa

Manu Kumar @ Mannu Kumar Son of Naresh Musahar @ Naresh Sada
Village- Jamhara Tola Ward No 12, Ps- Patarghat, District -Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Runa Devi Wife of Bheem Mandal village- Jamhara, Chinahi, Ward no. 12,
Po and Ps- Patarghat, Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Cyber
P.S. Saharsa Case No. 54 of 2024 registered for the offence under
Sections 75, 79, 108, 62 and 49 of the BNS, Sections 8 and 12 of
the POCSO Act and Sections 66, 66E and 67 of the IT Act.

3. The petitioner is named in the F.I.R. and is in custody
since 30.09.2024.

4. As per case of prosecution petitioner and other co-
accused uploaded video of three girls with vulgar *bhojpuri* song
and after looking it all three girls tried to commit suicide by
consuming poison.

5. Learned counsel appearing on behalf of the petitioner
submitted that except uploading video nothing incriminating



appears against this petitioner, which may force minor daughter of informant and her friends to made an attempt to commit suicide without leaving any other option. It is submitted that till now not even victim has examined in this case within timeline as provisioned under Section 35(1) of the POCSO Act. It is pointed out that petitioner is in custody for more than one year, where trial of this case is not likely to conclude in the near future within provisioned timeline under Section 35(2) of the POCSO Act. While concluding the argument, it is submitted that similarly situated co-accused namely Indal Kumar has already granted bail by learned Co-ordinate Bench of this Court through Cr. Misc. No. 13002 of 2025 dated 13.05.2025, 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.

6. Learned APP while opposing the prayer of bail submitted that allegation of uploading video is specific against this petitioner along with other co-accused persons.

7. Despite service of notice, informant failed to join the present proceedings.

8. In view of aforesaid factual submission and by taking note of fact as victim could not examine in this matter till now,



where petitioner is in custody for more than one year i.e., since 30.09.2024, coupled with fact that investigation of this case already completed, accordingly petitioner above named, is directed to be released on bail in connection with Cyber P.S. Saharsa Case No. 54 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 Exclusive Special Judge (POCSO Act), Saharsa/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS with further conditions :-

- (i). The petitioner will give an undertaking before the Court below that he will not stay within the jurisdiction of Saharsa District. He will only visit the District Saharsa on the dates fixed in the case.
- (ii). In case the petitioner violates the terms of the bail as stated above, the SHO of Patarghat Police Station will move before the Court for cancellation of the bail of the petitioner.

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(Chandra Shekhar Jha, J.)

