

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53201 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- NEMDARGANJ District- Nawada

Mani Kant Kumar @ Mani Kant Singh S/o Late Mahaveer Singh @ mahavir
Sharan R/o - Malikpur, P.S - Nemdarganj, District - Nawadah

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] s, R/O-Village-Nemdarganj ,P.S.-Nemdarganj,
District-Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mrs. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 05-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 115(2), 76, 351, 3(5) and 352(2) of B.N.S and Sections 8 and 12 of the POCSO Act and Sections 3(i)(r)(s)(w), 3(2)(va) of SC and ST Act.

3. The case of the prosecution is that the petitioner took the minor daughter of the informant in a room and attempted to outrage her modesty. During course of investigation, the victim has given her statement recorded under Section 183 of B.N.S.S wherein she has stated that the petitioner



took her in a room and put his hands on her breast. She has further stated that he has offered Rs. 100 for doing some act with him. She has further stated that after that, he started disrobing himself and on this, she raised alarm and came out of the room.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the statement of the victim under Section 183 of the B.N.S.S., it is clear that the only allegation against this petitioner is that he has put his hands on her breast and as he was disrobing himself, she raised alarm. Learned counsel for the petitioner has submitted that he has disclosed the reason of this case and submitted that the informant is the resident of nearby village and used to harvest the wheat crop and on the issue of wages, differences cropped up as informant along with his family members wanted to take major part of harvested wheat for which, the petitioner was not ready and scuffle took place and taking the benefit of the situation, this case has been filed. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 17.06.2025.



5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nemdarganj P.S. Case No. 109 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-Vith-cum-Special Judge, POCSO Act, Nawadah.

(Ashok Kumar Pandey, J)

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