

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55638 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- KHUTAUNA District- Madhubani

Manikant Kumar @ Manikant Sonar S/o Late Raj Kumar Sah R/o Village -
Laukahi Sonbarsa, P.S - Sonbarsa, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupam Devi W/o Saini Mukhiya R/o Village - Pasrohi, Ward No. 6, P.S -
Khutauna, District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the Informant	:	Mr. Rahul Singh, Advocate

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

ORAL ORDER

3 17-10-2025 Today, the matter has been listed under the heading
‘To be Mentioned’ at the instance of the petitioner.

2. After arguing at length, learned counsel for the petitioner is seeking permission of the Court to withdraw the interlocutory application bearing I.A. No. 01 of 2025 and is ready to argue the present case on merit.

3. Permission to withdraw I.A. No. 01 of 2025 is accorded and, in the interest of justice, the present case is being heard on merit.

4. Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State. Perused the case diary.



5. The petitioner seeks bail in connection with Khutauna P.S. Case No. 91 of 2025 instituted for the offences under Sections 137(2), 96, 64, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4/6 of the POCSO Act.

6. The prosecution case, in short, is that four accused, including the petitioner, lured the informant's daughter at night, took her to an orchard where co-accused Raj Lal Sahni forcibly raped her.

7. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that as Section 183 BNSS statement of the victim, the specific allegation of commission of rape is against co-accused Raj Lal Sahani. Learned counsel further submitted that there is no any medical evidence on record. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.06.2025 and has no criminal antecedent.

8. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.



9. Considering the aforesaid facts and circumstances of the case, Section 183 BNSS statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

10. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khutauna P.S. Case No. 91 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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