

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64885 of 2024**

Arising Out of PS. Case No.-237 Year-2019 Thana- MAHUA District- Vaishali

Vikash Kumar Son of Raj Kumar Ram Village- Fatehpur Chauthai, PS-  
Mahua, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Ram S/O Rampresh Ram R/O Village- Ajmatpur Parti, P.S.-  
Rajajpakar Bararti O.P. , P.O. - Bidupur R.S. , Dist- Vaishali

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

5      18-07-2025                      Heard the parties.

2. The petitioner is in custody in connection with Mahua P.S. Case No. 237(A) of 2019 for the offence punishable under sections 302/34 of the Indian Penal Code and 4 and 8 of POCSO Act.

3. As per the prosecution case, on 29.04.2019 at about 09:00 A.M., the daughter of the informant left for coaching classes, but she did not return and despite his efforts to locate her, he did not get any trace. It is further submitted that on 30.04.2019, the brother of the informant heard that a dead body of the victim had been kept at a place and accordingly, the body of the informant's daughter was found. The informant has



further alleged that the named accused persons including the petitioner have caused the death of the deceased after committing rape.

4. In this case, while issuing notice to opposite party no. 2, report was sought for from the Trial Court regarding the stage of the trial.

5. As per the report, it is at the argument stage.

6. Learned counsel for the petitioner has provided the update order to show that the concerned Trial Court has sought a further report regarding the death of the lady from the office of the Civil Surgeon, Sadar Hospital, Hajipur. He submits that the petitioner is in custody since 05.12.2022 (paragraph 17 of the petition), has no criminal antecedent and the last submission is that the main culprit, Raju Kumar has been extended relief in Cr. Misc. No. 65248 of 2024.

6. In this case, the informant is appearing and according to him, the trial is at an advance stage.

7. The witnesses were examined six months ago, still the same is inconclusive, the cause of death report has now been called for by the Trial Court from the Civil Surgeon, Hajipur, in that background, as the petitioner has undertaken to diligently appear in trial, the main culprit, Raju Kumar has been granted



bail, as stated above by a Co-ordinate Bench, he has no criminal antecedent, is in custody since 05.12.2022, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Session Judge-VI-Cum-Special Judge, POCSO, Vaishali at Hajipur in connection with Mahua P.S. Case No. 237(A) of 2019 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Vijay Singh/-

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