

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73832 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- BIHPUR District- Bhagalpur

Manish Mandal @ Manish Kumar S/o- Gajadhar Mandal Resident of Village-
Jamalsipur Police Station-Bihpur, Dist- Bhagalpur

... .. Petitioner

Versus

1. The State of Bihar
2. Nanki Devi W/o- Surendra Tatma R/v- Lattipur W.No-10, Ps- Bihpur Dist-
Bhagalpur

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Bihpur P.S. Case No. 31 of 2025 registered for the offences punishable under Sections 65(1) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and Section 4/6 of the POCSO Act.

3. The allegation against the petitioner is to commit penetrative sexual assault upon the informant aged about 14 years.

4. Learned counsel appearing on behalf of the



petitioner submitted that from facial perusal of the FIR, it can be safely gathered that the allegation of penetrative sexual assault was raised due to local political differences as the brother of petitioner was the Mukhiya of the village. It is submitted that non-finding of any physical injury including injury around the private parts of the victim, also makes a doubt qua occurrence.

5. While concluding argument, it is submitted that the issues and differences on the basis of which the present implication was raised now stands compromised between the parties. It is pointed out that aforesaid compromise was filed on affidavit dated 15.10.2025, which is available on the record. However, petitioner claims to be a man of clean antecedent.

6. Learned A.P.P. for the State duly assisted by Mrs. Switi Sinha, learned counsel appearing *suo motu* for the informant after accepting notice, affirmed the submission of compromise as advanced by learned counsel for the petitioner.

7. In view of the aforesaid factual submissions and by



taking note of the fact as the issues and differences on the basis of which the present implication was raised against the petitioner appears compromised, as discussed aforesaid, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court (POCSO)-cum-District & Additional Sessions Judge-VII, Bhagalpur/concerned court in connection with Bihpur P.S. Case No. 31 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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