

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83502 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- HISUWA District- Nawada

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Bikram Manjhi Son of Dilip Manjhi R/o Vill.- Eknar, P.S.- Hisua, Dist.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi Wife of Karu Rajbanshi Resident of village- Eknar, P.S.- Hisua, Distt.- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Chandra, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Sheo Kumar Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-02-2025 Heard Mr. Shashank Chandra, learned counsel for the petitioner, Mr. Sheo Kumar Prasad, learned counsel appearing on behalf of the informant as well as Mr. Bhanu Pratap Singh, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 08.07.2024 in connection with Hisua P.S. Case No. 78 of 2024, F.I.R. dated 05.02.2024 for the offences punishable under Section 366(A) of the Indian Penal Code and subsequently Section 8 of the POCSO Act has also been added.

3. According to prosecution case, this petitioner along with two other accused persons have kidnapped the minor daughter of the informant.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the petitioner was in love with the victim girl. He further submits that statement of victim was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that the petitioner has abducted her but at the same time she has also stated that the petitioner has not committed anything wrong with her. Apart from that, she has refused for her medical examination. He further submits that the co-accused, namely, Pappu Kumar @ Sanjeet Kumar against whom there is allegation that he was also involved with the petitioner in the present crime has been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 03.01.2025 passed in Cr. Misc. No. 54325 of 2024 and another co-accused, namely, Sonu Kumar has been granted regular bail by this Court vide order dated 21.01.2025 passed in Cr. Misc. No. 73575 of 2024. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 08.07.2024.



5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, victim has not stated anything with regard to the sexual assault committed by the petitioner and the similarly situated person has been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II-cum-Special Judge, POCSO, Nawada in connection with Hisua P.S. Case No. 78 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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