

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80861 of 2024

Arising Out of PS. Case No.-289 Year-2024 Thana- BANKA District- Banka

Manish Kumar, Son of Govind Yadav, R/O Vill.- Hirmoti, P.S. and Dist.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Basudeo Yadav, Son of Ayodhya Yadav, R/O Vill.- Dusadhi, P.S. and Dist.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 05-02-2025 Heard learned counsel for the petitioner and Mr. Anant Kumar 1, learned APP for the State.

2. The petitioner has prayed for bail in connection with Banka P.S. Case No. 289 of 2024 registered for the offence punishable under Sections 366(A), 376, 504 and 506 of the Indian Penal Code and Section 4 of the POCSO Act.

3. The case of the prosecution is that when the daughter of the informant used to go to school, one Manish Kumar (petitioner) was in talking terms with her anyhow he developed a relationship with her. It is further alleged that on the false promise of marriage, physical relationship was established by the petitioner with the daughter of the informant. It is further



alleged that on 29.06.2024, the daughter of the informant went from the house saying that she is going to Banka to purchase some books. When she did not return till evening, the informant started searching her and he came to know that the petitioner has kidnapped her with a view to marry her.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that during course of investigation, the victim girl was recovered and has given her statement under Section 164 of the Cr.P.C. wherein she has stated that she was in relation with Manish from one year. They were liking each other. She has further stated that Manish had established physical relationship with her forcefully. In her statement under Section 164 of the Cr.P.C., she has stated that she wants to marry with Manish. Learned counsel for the petitioner has also brought to the notice Annexure-2 which is an application regarding abduction of the petitioner. The medical examination of the victim was conducted and her age was assessed 17-19 years. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 09.08.2024.



5. The application for bail is opposed by learned APP
for the State.

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 enlarged on bail on furnishing bail
bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned
Additional District & Sessions Judge-VI-Cum-Special Judge,
POCSO Act, Banka in connection with Banka P.S. Case No. 289
of 2024.

(Ashok Kumar Pandey, J)

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