

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83336 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- PRATAPGANJ District- Supaul

Manish Kumar @ Manish Kumar Yadav Son of Suryanarayan Yadav R/O
Vil.- Dahiapuri, P.S.- Raghapur, Dist.- Supaul.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Pramod Yadav Son of Late Baldeo Yadav R/O Vill.- Diwanganj, Ward no. 1,
P.S.- Pratapganj, Dist.- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Adv.
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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

ORAL ORDER

5 30-04-2025 Heard learned counsel for the petitioner and learned

APP for the State. In spite of valid service of notice upon the

O.P. No.2, no one has appeared on his behalf. Perused the

case diary.

2. The petitioner seeks bail in connection with

Pratapganj P.S. Case No. 64 of 2024 instituted for the

offences under Sections 323, 376, 504, 506, 34 of the Indian

Penal Code.

3. As per prosecution case, the accusation against

the petitioner is of repeated sexual exploitation of the minor

victim on the pretext of marriage as also on the threat of



making her obscene videos viral on the social media.

4. It appears that one Pramod Yadav filed a complaint case before the learned Sub-Divisional Judicial Magistrate, Birpur and the same has been sent under Section 156/(iii) Cr.P.C. and F.I.R. was registered bearing Pratapganj P.S. Case No. 64 of 2024.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He submits that as a matter of fact, the Informant wants to marry with the petitioner but, when the same was denied, she filed a false case against the petitioner and his family members. He further submits that after lapse of one year of the alleged occurrence, the present case has been lodged by the informant/complainant which itself creates doubt in the veracity of the prosecution case. The petitioner has one criminal antecedent and has surrendered on 28.06.2024 before the court below and, since then, he is in judicial custody without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State



has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. As per victim's medical examination report, her age has been assessed in between 17-19 years on the date of her medical examination which manifests that the victim was minor on the date of alleged occurrence. The victim girl, in her statements recorded under Sections 161 and 164 of the Cr.P.C., has supported the prosecution case and has made specific allegation against the petitioner of repeated sexual assault upon her. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 376(3), 504, 506 of the I.P.C. and Section 4/6 of the POCSO Act. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

7. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking into account the statements of the victim girl, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to



expedite the trial and conclude the same expeditiously preferably within a period of six months from the date of receipt/production of a copy of this order. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail before the learned court below which will be considered/disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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