

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86608 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- UCHKAGAON District- Gopalganj

Mantu Kumar @ Mantu Singh Son of Bachha Singh Resident of Village-
Barka Amtha, P.S.- Mirganj, Distt.- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aanchal Kumari D/O- Sunil Manjhi Resident of Village- Barka Amtha, P.S.-
Mirganj, Distt.- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s	:	Mr. Sadanand Paswan, APP
For the Informant	:	Mr. Indrajeet Bhushan, Advocate

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

ORAL ORDER

4 18-03-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Uchkagaon P.S. Case No. 228 of 2024 instituted for the offences
under Sections 64, 70(1), 3(5) of the BNS, Sections 4/6/8 of the
POCSO Act and Sections 3(i)(r)(s), 3(2)(v) of the SC/ST Act.

3. Accusation against the accused persons including
the petitioner is of commission of gang rape upon the victim
girl.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case due to the reason that the informant's family members wanted to grab a piece of land of the petitioner's father. Learned counsel further submitted that both the parties are co-villagers. Learned counsel further submitted that from perusal of the medical report, it appears that there is no sign of sexual assault and no mark of injury has been found on the body of the victim. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has supported the case of the prosecution. Learned counsel for the informant submitted that trial is already in progress and out of four witnesses, one witness (victim) has been examined. Learned APP for the State and learned counsel for the informant jointly prayed that the petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, Section 183 BNSS statement of the victim as also trial already being in progress, this Court is not inclined to grant bail to the petitioner at this stage.



7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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