

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1359 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- DANIYAWAN District- Patna

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Tuntun kumar @ Tuntun Manjhi S/O Sakaldeep Manjhi R/O Village-
Daniyawar Salarpur, P.S- Daniyawar, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/O Pankaj Ravidas R/O Village- Daniyawar Salarpur, P.S-
Daniyawar, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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

ORAL ORDER

4 08-04-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Special
(POCSO) Case No. 214 of 2024, arising out of Daniyawar P.S.
Case No. 155 of 2024, instituted for the offences punishable
under Sections 126(2), 115(2), 127(2), 65, 352, 351(2), 3(5) of
the Bharatiya Nyaya Sanhita, 2023 read with Section 4 of
POCSO Act.

3. The prosecution case, in short, is that, minor
daughter of the informant went missing after going out and
could not be found. The informant discovered her daughter the
next day, confined and assaulted by neighbours who are the
accused persons in this case.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of three days in lodging the FIR. The victim was not kidnapped, in fact, she went out from her house on her own will. The petitioner is neighbour of the informant. It is further submitted that no any sign of intercourse or any kind of assault over body or private part of the victim was found. The petitioner is in custody since 07.08.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that there is specific allegation against the petitioner. It is further submitted that the victim is a minor girl and statement of the victim recorded under Section 183 of the Bharatiya Nyaya Sanhita, 2023 supports the allegation levelled against the petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence,



this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected at this stage. The trial Court is directed to expedite the Trial expeditiously. However, if the trial is not concluded within a period of six months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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