

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25408 of 2024**

Arising Out of PS. Case No.-593 Year-2022 Thana- TEKARI District- Gaya

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Sandip Manjhi @ Sardip Manjhi, S/o Sukend Ram @ Sakendar Manjhi,
Resident of village-Bishunganj Shahbazpur, P.S.-Tekari Panchanpur Dist-
Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. XXX, D/o Jawahar Das, Son of Talkeshwar Das, Resident of Village
-Vishnuganj P.S.- Tekari Panchanpur (O.P.), Gaya

... .. Opposite Parties

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Appearance :

For the Petitioner : Arya Achint, Advocate
Ms. Riya Rai, Advocate
Mr. Amarshakti, Advocate

For the State : Mr. Pradeep Narain Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

9 28-01-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Tekari Panchanpur
P.S. Case No.593 of 2022 registered under Sections 366-A
read with 34 of the Indian Penal Code as well as Section 8 of the
Protection of Children from Sexual Offences Act, 2012.

3. Allegation against petitioner is to kidnap the minor
daughter of informant aged about 16 years along with other co-



accused persons for the purpose of illicit intercourse/marriage with another person.

4. It is submitted by learned counsel appearing for petitioner that the thrust of allegation is available against co-accused Dipul Kumar and this petitioner has been implicated with present case only for the reason that he is the friend of main co-accused Dipul Kumar with whom the victim daughter of informant out of her own sweet will solemnized her marriage. In support of this submission, learned counsel has referred Annexure-P/2 series of the present bail petition showing photographs of Dipul Kumar solemnizing marriage with daughter of the informant.

5. Further, taking shelter of statement of victim recorded under Section 164 of the Code of Criminal Procedure, it is submitted that the allegation of sexual assault is specifically available against Dipul Kumar with whom the daughter of informant has solemnized her marriage and living happily.

6. Learned APP opposed the prayer of bail.

7. Despite of service of notice, as same was received by the mother of victim, none turned up to join the present proceeding.



8. In view of aforesaid factual submissions and by taking note of fact as the allegation *qua* sexual assault is specifically available against co-accused Dipul Kumar with whom the victim daughter of informant has solemnized marriage out of her own sweet will, coupled with the fact that the implication of this petitioner *prima facie* appears being one of the friends of main co-accused Dipul Kumar, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO, Gaya in connection with Tekari Panchanpur P.S. Case No.593 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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