

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27390 of 2026

Arising Out of PS. Case No.-334 Year-2025 Thana- GORIAKOTHI District- Siwan

Manindra Pandey @ Majindra Pandey @ Majindra Kumar, S/o Hosila Pandey, R/o Village- Sarari (Ward No. 11), P.S- Goreakothi, Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. VG D/O Y R/O Village- Sarari (Ward No. 11), P.S- Goreakothi, Distt.- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Irshad Ahmad Khan, Advocate
For the Opposite Party/s :	Mr. Madhuri Lata, APP
For the Respondent	Ms. Ankita Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 17-06-2026 Heard the learned counsel for the petitioner, the learned counsel for the informant and the learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Goreakothi P.S. Case No. 334 of 2025, registered for the offence(s) under Section(s) 74, 76, 75(2), 62, 308(2), 352, 351(2), 331(2), 331(6) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.) and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the allegation against the petitioner is that he with the help of co-accused persons, had entered into the house of informant/victim and forcibly tried to



commit rape upon her. It is further alleged that when the informant raised *hulla*, the petitioner tried to break the door of the room of informant's mother and thereafter, fled away.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on account of long standing land dispute between the parties. It has further been submitted that Sections 331(2) and 331(6) of the Bharatiya Nyaya Sanhita as well as Sections 8 and 12 of the POCSO Act were added later in this case. It has next been submitted that the story propounded is purely false and the said fact can be corroborated from the reading of the statement of victim who has not stated what has been submitted in the FIR. From perusal of statement of victim recorded under Section 183 of BNSS, it would appear that there is no allegation of pointing pistol upon the chest of the victim and as to the fact that the petitioner had tried to commit rape upon her. In fact, from perusal of said statement, it would be evident that the victim has gone to state that the father of the petitioner was demanding Rs. 20 lakhs. It has thus been submitted by the learned counsel for the petitioner that only on account of long standing land dispute, out and out, this false case has been registered against the petitioner who carries clean antecedent.



5. The learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and stated that there is specific allegation against the petitioner to have forcibly entered into the house of informant and tried to commit rape upon her.

6. Considering the aforesaid facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Goreakothi P.S. Case No. 334 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present



before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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