

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26928 of 2025

Arising Out of PS. Case No.-511 Year-2024 Thana- SHERGHATI District- Gaya

Sudhir Manjhi @ Dhiraj Manjhi S/o- Munshi Manjhi Village- Khandel Ps- Sherghati Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sarti Kumari D/o- Ramji Manjhi Village- Khandel Ps- Sherghati Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.
For the Opposite Party/s : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

11 06-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 511 of 2024 dated 09.10.2024 registered for the offences punishable under Sections 76, 329(4), 115(2), 126(2) of the B.N.S. and Sections 4/6 of the POCSO Act.

3. As per the prosecution case, the informant (victim) has alleged that while she was sleeping at around 11.00 P.M., the petitioner entered her house and was removing the electric bulb then the victim raised alarm, the petitioner fled away and thereafter he again came and tried to commit wrong with her. However, the maternal grand-mother woke up and she came to rescue the victim and thereafter, the petitioner was apprehended



and he was handed over to the police.

4. Learned counsel for the petitioner submits that even from the reading of the F.I.R., it is evident that there is no specific allegation of overt act alleged against the petitioner and it has only been said that the petitioner tried to commit wrong with the victim. It has further been submitted that the petitioner and the maternal grand-mother of the victim are next door neighbour and due to some personal dispute between them, the present false and concocted case has been lodged without any basis and no such incident as alleged has occurred. It has further been submitted that the victim girl is also not a minor girl and she is actually 19 years of age. It has lastly been submitted that the petitioner has one criminal antecedent and he is in custody since 10.10.2024.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner. Despite service of notice upon Opposite Party No. 2, nobody has appeared to oppose the bail application of the petitioner. Learned A.P.P. has submitted that the petitioner had tried to outrage the modesty of the informant (victim) and hence, he should not be enlarged on bail.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his



furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge POCSO -cum- Additional Sessions Judge-VII, Gaya in connection with Sheghati P.S. Case No. 511 of 2024, subject to the following terms and conditions :-

(i) One of the bailors will be a close relative of the petitioner.

(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 on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

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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