

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34682 of 2025

Arising Out of PS. Case No.-208 Year-2024 Thana- KALUAHI District- Madhubani

Manish Jha @ Manish Kumar Jha S/O Sri Mohan Jha R/O Village- Singhiya,
Tola- Machcha, P.S- Bisfi, Distt.- Madhubani, Pin- 847306.

... .. Petitioner

Versus

1. The State of Bihar
2. Lalit Kumar Jha S/O Late Bishwambhar Jha R/O Village and Post- B. Belahi, P.- Kaluahi, Distt.- Madhubani, PIN-847215.
3. Rashmi Kumari @ Rashmi Jha D/O Lalit Kumar Jha R/O Village and Post- B. Belahi, P.- Kaluahi, Distt.- Madhubani, PIN-847215.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Jayram Sharma, Advocate
For the State	:	Mr.Kanhiya Kishor, APP
For the Informant	:	Mr.Ashok Kumar, Advocate
		Mr.Bimal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 13-01-2026 Heard learned counsel for the petitioner and learned APP for the State duly assisted by learned counsel for the informant.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Kaluahi P.S. Case No. 208 of 2024 registered for the offences punishable under Sections 137(2), 87, 74, 96, 126(2), 127(2)(3), 303(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 8/12 of the POCSO Act, pending in the court of learned Additional Sessions Judge-VI-cum-Special



Judge (POCSO Act), Madhubani.

3. As per FIR, some unknown persons kidnapped the minor daughter of the informant aged about 12 years and also raised suspicion that the victim daughter of the informant might be assaulted sexually.

4. Learned counsel appearing on behalf of the petitioner submitted that the victim daughter of the informant recovered after two days of the occurrence, thereafter her statement was recorded under section 183 of the B.N.S.S. It is pointed out that she was with the petitioner for two days, where she stated acquainted with petitioner through social media platform/Instagram. Learned counsel further pointed out that she stated nothing incriminating *qua* sexual assault against this petitioner.

5. Learned A.P.P. for the State duly assisted by learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioner, submitted that petitioner is a married persons aged about 30 years. It is pointed



out that it is a case of sexual assault. It is submitted that the victim daughter of the informant was kidnapped by this petitioner and was kept in captivity, where she was given bad touch by this petitioner as per her statement recorded under section 183 of B.N.S.S.

6. In view of the aforesaid factual submission as the victim categorically stated that out of acquaintance through social media, the petitioner kidnapped her and while she was in captivity she was given bad touch by this petitioner, accordingly, prayer of anticipatory bail of the petitioner stands rejected.

(Chandra Shekhar Jha, J)

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