

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51503 of 2026**

Arising Out of PS. Case No.-130 Year-2026 Thana- SIKARPUR District- West Champaran

Manoj Patel @ Manoj Kumar S/o Chhotelal Patel, R/o Vill.- Rakhai, P.S.-
Shikarpur, Dist.- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. X S/o Y R/o Vill.- Rakhai, Paschim Tola, Ward no. 3, P.S.- Shikarpur, Dist.-
West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Dhananjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Shikarpur P.S. Case No. 130 of 2026 dated 06.02.2026, registered for the offences punishable under Sections 103(1), 126(2), 127(2), 109(1) and 61(2) read with Section 3(5) of the B.N.S., 2023. Later on Sections 8 and 12 of the POCSO Act were added. Chargesheet has been submitted under Sections 191(2), 191(3), 190, 103(1), 126(2), 127(2), 109(1), 75(3), 76, 77, 78, 329(3) and 61(2) read with Section 3(5) of the B.N.S., 2023 and under Sections 8 and 12 of the



POCSO Act.

3. As per the prosecution case, petitioner and ten other FIR named co-accused persons apart from fifty unnamed persons came to the doors of the informant and started breaking the doors of the house and dragged out the minor daughter of the informant and started assaulting her. They were agitated over the relationship of the minor daughter of the informant with a boy and thereafter, the mob tied the daughter of the informant and the boy with a pole and cut the hairs of the boy and put a garland of slippers in his neck and paraded him in the village and also video-graphed the incident. Further allegation is that the daughter of the informant somehow fled away from the spot and hid herself in the house when the mob returned, it strangled her and hanged her dead body.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From the sequence of offences as narrated in the FIR, it appears that the daughter of the informant returned to her home and out of shame, she committed suicide as she was found in objectionable condition with local boy. Learned counsel further submits that even the *post-mortem* report does not support the prosecution story as



only an abrasion has been found on the body of the daughter of the informant apart from ligature mark of size 7" long and 1" wide extending from below right ear to front of neck to below left mastoid. If the daughter of the informant were assaulted there would have been other injuries on the body. The ligature mark shows the daughter of the informant had committed suicide. Learned counsel also submits that in this background, the informant has named 61 persons for being involved in the occurrence of killing of his daughter, but there is no eye witness. Even the grand-mother of the deceased who claimed to be present in the house did not make any allegation against this petitioner. A similarly situated co-accused person namely Sheikh Farakul has been granted bail by this Court *vide* order dated 01.07.2026 passed in Cr. Misc. No. 31965 of 2026. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 09.02.2026.

5. Learned A.P.P. appearing on behalf of the State as well as the learned counsel for the informant vehemently oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that petitioner is named in the FIR with allegation that he along with other co-



accused persons firstly assaulted the daughter of the informant and subsequently, strangled her.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation and grant of bail to a similarly situated co-accused person and further considering petitioner's clean antecedent, submission of chargesheet against him and his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VII-cum-Special Judge, POCSO, Bettiah, West Champaran / concerned Court, in connection with **Shikarpur P.S. Case No. 130 of 2026**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

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

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates



*or in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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