

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52962 of 2025

Arising Out of PS. Case No.-407 Year-2024 Thana- BANKA District- Banka

Manish Kumar Mandal @ Maniya S/o Matru Mandal R/o Village- Lakrikola,
P.S- Banka, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Murshid Ansari S/o Ayub Ansari R/o Village- Lakrikola, P.S - Banka ,
District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 17-03-2026 Despite valid service of notice, no one appeared on
behalf of Opposite Party No.2.

2. Heard Mr. Ajay Mukherjee, learned counsel for
the petitioner as well as Mr. Satyendra Narayan Singh, learned
Additional Public Prosecutor for the State.

3. Petitioner seeks bail who is in custody since
20.06.2025 in connection with Banka P.S. Case No. 407 of
2024, F.I.R. dated 01.10.2024 for the offences punishable under
Sections 96, 352, 3(5) of the Bharatiya Nyay Sanhita, 2023 and
Section 4 of POCSO Act.

4. Accordingly to the prosecution case, it is alleged
that when the informant along with his other relatives went to



the house of one Rahul Mandal, to enquire about his daughter, then the petitioner along with other co-accused person abused them and also threatened them of dire consequences.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Infact the victim was in love with the said Rahul Mandal and petitioner has been made accused merely on the ground that he is the friend of Rahul Mandal and the statement of the victim was recorded under Section 183 BNSS in which she stated that the petitioner along with Rahul Mandal have kidnapped her but she has not stated anything about sexual assault against the petitioner and she has stated that Rahul Mandal had committed rape upon her and another co-accused, namely Om Prakash Rajak @ Golu @ Goloo has been granted the privilege of anticipatory bail by co-ordinate Bench of this Court vide order dated 21.01.2026 in Cr. Misc. No. 69678 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 20.06.2025.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.



7. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and similarly situated co-accused has been granted the privilege of anticipatory bail by co-ordinate Bench of this Court and victim has not stated anything about the sexual assault against the petitioner in her statement recorded under 183 BNSS, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge. POCSO, Banka in connection with Banka P.S. Case No. 407 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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