

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70508 of 2025

Arising Out of PS. Case No.-117 Year-2024 Thana- Manikpur District- Lakhisarai

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Ravi Kumar @ Ravi Das S/o- Hari Das Village- Moula Nagar PS- Manikpur
Dist- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Manju Devi W/o- Sunil Ram R/v- Maula Nagar Ps- Manikpur Dist-
Lakhisarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 10-02-2026 Heard learned counsel for the petitioner and

learned APP for the State. Notices have already been validly

served while the informant has chosen not to appear in the

present proceedings.

2. The petitioner seeks bail in a case registered for

the offence punishable under Sections 115, 352, 76, 109,

329(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section

12 of the POCSO Act.

3. As per the prosecution case, when the

informant's daughter was bathing in the courtyard then the

petitioner entered the house and tried to outrage her modesty. It

is further alleged that the petitioner has assaulted the informant



with iron rod causing injury to her.

4. Learned counsel for the petitioner submits that the petitioner and the informant's side are neighbours and on account of a dispute with regard to drainage system there used to be earlier quarrel between them and the First Information Report also indicates that earlier also there had been instances of physical altercation and hurling of abuses between them. It is submitted that on account of such dispute a false case under some provisions of B.N.S. as also under Section 12 of the POCSO Act has been instituted with some false allegation of disrobing etc.. It has further been submitted that there is a contradiction in the statements of the victim recorded under Sections 180 and 183 of the B.N.S.S. on the point of mother's presence during the occurrence. Further, the petitioner is in custody since 13.10.2024 and charges have already been framed, however, till date no witness has turned up to support the prosecution case, as such, there is no likelihood of conclusion of trial in near future.

5. Learned APP for the State opposed the bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that there is no injury



report to substantiate the case under Section 109 of the B.N.S. and Section 12 of the POCSO Act entails a maximum punishment of three years, coupled with the fact that the petitioner is in custody since 13.10.2025 and after framing of charges, no witness has been produced on behalf of the prosecution, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additonal Sessions Judge-Vith-cum-Special Judge, POCSO, Lakhisarai/concerned Court below in connection with Manikpur P.S. Case No. 117 of 2024 subject to condition that:-

- (i) However, the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

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