

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73323 of 2025

Arising Out of PS. Case No.-495 Year-2023 Thana- NAUTAN District- West Champaran

Manoj Kumar @ Manoj S/O Faudar Chaudhri Resident of Village-
Faguchhapur, P.S- Tareya Sujan, District- Kushinagar, U.P.

... .. Petitioner

Versus

1. The State of Bihar
2. Sona Devi W/O Harendra Chaudhary R/O Village- Mangalpur, P.S- Nautan,
Distt.- West Champaran, Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Mayank Mohan, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, A.P.P.
For the Informant	:	Mr. Raghvendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.01.2025 in connection with Nautan P.S. Case No. 495 of
2023 for the offence punishable under Sections 363, 366A and
34 of IPC and Section 8 of POCSO Act.

3. The prosecution case, in brief, is that on 25.11.2023,
at 05:00 P.M, the informant's daughter (hereinafter called as
victim), while cleaning the door then accused came on
motorcycle and by influencing her daughter took her away for
the purpose of marriage. The villagers saw that accused was
driving motorcycle, in the middle her daughter was sitting and



on back accused was sitting. When villager asked then accused told that taking away for solemnizing marriage when she along with villager went to the house of accused then all accused person admitted the occurrence and told that they will solemnize marriage with Manoj and on protest they assaulted informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is further submitted that the statement of the victim was recorded under Section 183 of BNSS in which she has not stated anything about sexual assault against the petitioner.

5. The learned Additional Public Prosecutor and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant have produced the deposition of the victim in which she has stated that the petitioner has repeatedly raped her in his house. Apart from aforesaid, the medical report also suggests that the hymen was ruptured which



suggests that she has been sexually exploited by the accused persons. Learned counsel for the informant further submits that the trial is going on witnesses have been examined by the learned trial court.

6. Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail arising out of Nautan P.S. Case No. 495 of 2023 pending in the court of learned Additional District & Sessions Judge- VI-cum-Special Judge, POCSO, Bettiah, West Champaran.

7. Prayer is refused.

8. However, the learned trial court is directed to expedite and conclude the trial.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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