

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78053 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- TERHAGACHH District- Kishanganj

Dhirendra Lal Harijan @ Dhirendra Prasad Manjhi S/o Labanu Lal Harijan @
Shree Prasad Manjhi Resident of Village- Farabari, P.S.- Terhagachh, District-
Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sima Devi W/o Shrawan Lal Harijan R/o Harhariya Baans, P.S.-
Terhagachh, District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr.Amal Kumar Sinha learned counsel for the

petitioner, learned counsel for the informant and Mr.Bhanu
Pratap Singh, learned Additional Public Prosecutor for the

State.

2. The petitioner seeks bail, who is in custody since
29.10.2024 in connection with POCSO Case No. 11 of 2025
arising out of Terhagachh P.S. Case No. 122 of 2024, F.I.R.
dated 28.10.2024 registered for the offence punishable under
Sections 137(2), 96, 352, 351(2) of BNS but the cognizance has
been taken against the petitioner under Sections 137(2),
96,126(2),127(4),65(1),115(2),351(3), 352 of the POCSO Act
and Sections 4 and 6 of the POCSO Act.



3. Allegation against the petitioner is that he kidnapped and raped the minor victim girl who is aged about 14 years with the intention of marriage.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and he has been made accused in the present case merely on the basis of suspicion. It appears from the FIR that the date of occurrence as alleged in the FIR is 23.09.2024 but the present FIR has been instituted on 28.10.2024 after delay of 35 days without giving any explanation of delay.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 183 of BNSS,2023 in which she has categorically stated that the petitioner has committed rape upon her, apart from aforesaid, the victim has also stated that the petitioner has kidnapped her and on the date of occurrence the victim was minor. Learned counsel for the informant further submits that the trial has begun and out of eight chargesheet witnesses, six witnesses have been



examined.

6. Considering the aforesaid facts and the nature of allegation against the petitioner which is supported by the victim, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 11 of 2025 arising out of Terhagachh P.S. Case No. 122 of 2024 pending in the court of learned Exclusive Special Judge (POCSO), Kishanganj.

7. Prayer is refused.

8. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

Nitesh/-

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