

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83284 of 2025

Arising Out of PS. Case No.-375 Year-2019 Thana- DHAKA District- East Champaran

Manoj Kumar S/O Jawahar Sah R/O Ward 13 Gram Parei, P.S.- Dhaka, Dist.- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. XXX W/O Y R/O Sheetal Patti, Gandhi Chowk, P.S.- Dhaka, Dist.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate Mrs. Sakshi Bhatnagar, Advocate
For the Opposite Party/s	:	Mrs. Rina Sinha, APP Mr. Sunil Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Dhaka P.S. Case No.375 of 2019 dated 04.10.2019 registered for the offence punishable under Sections 376, 420, 406, 506, 34 of the Indian Penal Code and Section 4 and 6 of the POCSO Act.

3. As per the FIR, the informant has alleged that her 14-year-old daughter was victimized by the petitioner and another co-accused. It is further alleged that the accused persons had taken a sum of Rs. 4,00,000/- from the informant on the pretext of starting a business but failed to commence the same.



The prosecution case further states that in May, 2019, while the informant was away from her residence, the accused persons allegedly threatened and sexually assaulted her daughter and recorded the incident. Upon being questioned by the informant, the accused persons allegedly threatened to make the video viral

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the alleged occurrence is said to have taken place in May, 2019, whereas the FIR was lodged on 04.10.2019, and no plausible explanation has been furnished for the inordinate delay in lodging the FIR. It is the case of the petitioner that the police submitted a final form in his favour; however, differing from the same, the learned court below has taken cognizance against the petitioner. It is further submitted that the parties have amicably compromised the matter. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Learned counsel for the informant, who has appeared *suo motu*, is not in a position to controvert the submissions advanced on behalf of the petitioner.



7. Taking into account the fact that, upon investigation, the police have not found the allegations to be true, let the above-named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 6th District & Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, East Champaran at Motihari/Successor Court in connection with Dhaka P.S. Case No.375 of 2019, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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