

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91195 of 2025

Arising Out of PS. Case No.-306 Year-2025 Thana- MASHRAK District- Saran

Manish Kumar S/O Ramekbal Rai @ Ekbal Rai R/O Village- Bangra, Ward No. 02, P.O- Dumarsan Bangra, P.S- Mashrakh, Distt.- Saran at Chapra, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/O Madan Sah R/O Village- Bangara, P.S- Masrakh, Distt.- Saran at Chapra, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh
For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-04-2026 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Mashrakh Police Station Case No. 306 of 2025, disclosing offences under Sections 126(2), 115(2), 74, 76, 352, 351(2)(3), 3(5) of the BNS, 2023 and Sections 4, 8, 12 of the POCSO Act.

3. As per the prosecution story, lodged on 09.07.2025 that on 07.07.2025, the teacher of daughter of the informant called the informant on phone that someone was misbehaving with his daughter and when the informant rushed towards the school, he came to know that co-accused Shailesh



Kumar misbehaved with his daughter, showed her objectionable video through mobile and tried to seduce her. On 09.07.2025, in the morning, petitioner along with other accused persons arrived at informant's village and tried to take his daughter away forcibly. When the informant stopped them, he was assaulted.

4. Learned counsel for the petitioner submits that petitioner is a young boy aged about nineteen years having no criminal antecedent. The allegation of eve-teasing and/or misbehaving is not against the petitioner and only general and omnibus allegation has been alleged against him, that he along with three to four other accused persons tried to take away informant's daughter. The victim girl, in her statement recorded under Section 183 of the BNSS, has not disclosed the name of the petitioner, which would be evident from the impugned order.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that the petitioner, on the instruction of co-accused Shailesh Kumar, arrived at the house of the informant along with three to four other accused persons and tried to forcibly lift the minor daughter of the informant.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of



the allegation against the petitioner and the statement of the victim girl recorded under Section 183 of the BNSS in which the name of the petitioner was not disclosed by her, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Exclusive Special Additional Sessions Judge, POCSO, Saran at Chapra, in connection with Mashrakh Police Station Case No. 306 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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