

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91926 of 2025

Arising Out of PS. Case No.-146 Year-2025 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Manoj Kumar Gupta @ Manoj Kr. Gupta Son of Lillo Sah @ Lilo Sah @ Lilo
Gupta R/o Village - Gangopur, Police Station - Gidhaur, District - Chatra,
State - Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX Wife of YYY R/o 72/1, G.V.C. O.T.A., Police Station - Magadh
Medical, Dist. - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 24-06-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for
grant of regular bail in connection with Magadh Medical P.S.
Case no. 146 of 2025 registered under sections 64, 62 and
318(4) of the Bharatiya Nyaya Sanhita, 2023 and section 8 of
the POCSO Act.

3. As per the prosecution case, the informant states
that her daughter who is a student of class VII was being taught
by the petitioner herein. After some time, it is stated that the
petitioner gained her confidence and made objectionable videos
of her and started giving her threats of making the same viral.



The informant further states that using the same and taking her into confidence, she was sexually exploited by the petitioner who happens to be her teacher.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such occurrence as alleged has taken place. The allegation that the informant's daughter was coaxed and later the petitioner attempted to molest her for establishing physical relations are all false and concocted. The petitioner happens to be a happily married man and the allegations levelled by the informant are false and fabricated on the face of it. There is no eyewitness to the occurrence and even the statement recorded under section 183 of the BNSS does not fully support the allegations. The petitioner who has no criminal antecedent is in custody since 18.5.2025 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State who submits in reference to the statement made by the victim under section 183 of the BNSS that the petitioner used to insist to meet her and inspite of being a married person, taking her into confidence that he really loved her, used to molest her. Further allegations have been levelled by the 13 year old victim against the petitioner of having sexually exploited her.



6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation and specially the contents of the statement of the victim recorded under section 183 of the BNSS, the Court is not inclined to enlarge the petitioner on bail for the present and the application is rejected.

(Partha Sarthy, J)

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