

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1284 of 2026

Arising Out of PS. Case No.-365 Year-2025 Thana- NAUGACHIA District- Bhagalpur

1. Dipak Kumar son of Nathni Manjhi Resident of Village -Vishundalpur PS -Kanti Distt- Muzaffarpur
2. Amrit Kumar son of Dinesh Manjhi Resident of Village - Marwan, Ps- Karja, Dist- Muzaffarpur

... .. Petitioners

Versus

1. The State of Bihar
2. Bijali Devi Wife of Manish Kumar Paswan Resident of Village- Musahripatti, Mumtaj Mohalla, Ward no. 21, Ps- Naugachia, Dist- Bhagalpur

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sanjeeb Kumar Sanju
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Despite valid service of notice, no one appeared on
behalf of the OP No. 2.

3. Petitioners seek bail in connection with Naugachia
P.S. Case No. 365 of 2025 for the offences punishable under
Sections 137(2), 140(3), 3(5) of BNS.

4. The prosecution story, in brief, is that informant
namely Bijli Devi filed a written complaint before Naugachia
Police Station stating that on 29/10/25 one Sakshi Kumari called
the daughter of informant namely Bhawani Kumari to go to the



shop after which daughter of informant went with Sakshi Kumari and did not return home till late night. After that all the family members went in search of Bhawani Kumari (informant's daughter) and also enquired her relatives but could not find her. Further on 30.10.2025, the informant came to know that her daughter used to talk to one boy namely Dipak Kumar (petitioner no.1) and there is chance that Amrit Kumar along with Dipak Kumar have made the daughter of the informant disappear. Further the informant tried to call Sakshi Kumari several times but her mobile was switched off. Fearing something wrong will happen with her daughter, the informant lodged this instant F.I.R.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent and have 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 next submitted that the victim in her statement recorded under Section 183 of BNSS has not stated anything about the sexual assault. Apart from aforesaid, she has also refused for her medical examination and the police after investigation has submitted charge-sheet and the petitioner is in custody since



31.10.2025.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st Naugachia in connection with Naugachia P.S. Case No. 365 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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