

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24269 of 2015

Arising Out of PS.Case No. -35 Year- 2014 Thana -PIRPAINTI District- BHAGALPUR

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Gulo Mandal. Son of Sri Devki Nandan Prasad Mandal. Resident of Village
- Mirzapur, P.S.- Ghogha, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. S.M.Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-07-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
13.02.2015 in a case registered for the offences punishable under
Sections 363 and 366A/34 of the Indian Penal Code.

The accusation is of kidnapping the minor
daughter of the informant from the house of the sister of the
informant.

In 164 Cr.P.C. statement the victim has
alleged that the petitioner and co-accused Mithun Mandal took her
from the house of her sister and kept her at Danapur in the house
of the sister of Mithun Mandal where Mithun Mandal ravished
her.

It is submitted by learned counsel for the petitioner that during medical examination no evidence of sexual assault was found when the victim was found above 18 years, though, she was found pregnant. It is further submitted that for the occurrence of 28.02.2014 the FIR was registered on 03.03.2014 and the investigation has already concluded.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the thrust of accusation against Mithun Mandal, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Bhagalpur in connection with Pirpainty P.S. Case No. 35 of 2014.

(Dinesh Kumar Singh, J)

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