

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32794 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -MAHILA P.S. District- BHAGALPUR

Uday Kant Mandal, son of Sikandar Mandal, resident of Village- Amri,
P.S.- Bihpur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 17.05.2016 in connection with Bhagalpur Mahila P.S. Case No. 23 of 2016 for the alleged offences under Sections 376 and 420 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and there is no likelihood of conviction in the facts and circumstances of the case in view of the recent judgment of the Apex Court in Criminal Appeal No. 13 of 2016 (Tilak Raj vs. The State of Himachal Pradesh) where the facts were similar to those of the present case.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu* has been heard.

5. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction

of learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Bhagalpur Mahila P.S. Case No. 23 of 2016 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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