

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8085 of 2016**

Arising Out of PS.Case No. -10 Year- 2016 Thana -AMARPUR District- BANKA

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Lachcho Mandal @ Laxman Mandal S/o Tetar Mandal R/o Mahota, Tola  
Bindu Bishanpur, P.S. Amarpur, District- Banka

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Dinkar Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Singh(APP)

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

4      11-05-2016                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner apprehends his arrest in connection with  
Amarpur P.S. Case No. 10 of 2016 for the offences punishable  
under Sections 363, 366(A)/34 of the Indian Penal Code.

The Prosecution case is that on 06.01.2016 at about  
10:00 A.M., the daughter of the informant named Ragni Kuamri  
@ Dharti Kumari aged about 14 years had gone to Girls High  
School, Amarpur for study but did not return home. Thereafter, the  
informant started searching her but could not be located. It is  
alleged that on 08.01.2016 he came to know that co-accused  
Gautam Mandal, son of the petitioner has taken away his daughter  
to some unknown place with intention to marry with her. It is

further alleged that when the informant asked the petitioner to bring back his daughter he was threatened and when he went at the house of Gautam Mandal, the petitioner and his associates threatened him and dragged him away.

It has been submitted by the learned counsel for the petitioner that he is father of the named accused Gautam Mandal, who has been alleged to have kidnapped the informant's daughter. He further submits that no overt act has been committed by the petitioner and even the supervision note showing the complicity of the petitioner can only be ascertained after 164 Cr.P.C. statement of the victim girl, who is still traceless. He further submits that he has a clean antecedent except Amarapur P.S. Case No. 11 of 2014 which was dismissed, as the victim girl was found major. Learned counsel for the petitioner further submits that no case under Sections 363, 366(A) of the Indian Penal Code is made out against him as no allegation under such section has been alleged the informant.

However, the learned APP for the State submits that the petitioner was found to be accompanying with the accused Gautam Mandal along with victim in paragraph 30 of the case diary, hence, opposes the prayer for bail.

Be that as it may, since the petitioner is the father of

the accused Gautam Mandal and no allegation under section 363, 366(A) of the Indian Penal Code has been levelled against him by the informant,, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 10 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

Rajiv/-

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