

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47695 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -BAUNSI District- BANKA

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Arun Mandal, Son of Late Umesh Mandal, Resident of Village - Medari,
P.S. - Bounsi, District - Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 17-10-2017

Heard learned counsel for the petitioner and

the learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 366A, 504 and 506/34 of the Indian Penal Code.

The prosecution case as per the written report of the informant Bijay Singh dated 11.04.2017 is to the effect that his younger sister Soni Kumari, aged about 15 years, went missing from mid-night of 31.03.2017. Subsequently, the informant came to know that she has been enticed away by co-villager Chhotu Mandal with the help of other friend when the informant went to the house of Chhotu Mandal to make protest, then this petitioner being the father of Chhotu Mandal humiliated and drove out the informant from the house.



It is submitted by learned counsel for the petitioner that the victim in 164 Cr.P.C. statement got her age recorded as 18 years when the Court has assessed as 17-18 years. During medical examination also she was found 18 years. In 164 Cr.P.C. statement she has stated that she, of her own, went in the company of Chhotu Mandal and subsequently got married to him. Considering the 164 Cr.P.C. statement of the victim, Chhotu Mandal, the son of the petitioner has been granted anticipatory bail vide Cr. Misc. No. 32627 of 2017 by a Bench of this Court, as contained in Annexure-4. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Learned APP has not disputed the fact that Chhotu Mandal has been granted anticipatory bail considering the 164 Cr.P.C. statement of the victim.

Considering the fact that victim has been found major and has denied the accusation, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-III, Banka in connection with Bounsi P.S.
Case No. 59 of 2017, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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