

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45507 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -MAHILA P.S District- SUPAUL

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Vijay Mandal, Son of Bachchan Prasad Mandal, resident of Kullipatti,
Police Station- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Supaul Mahila P.S. Case No. 55 of 2018** instituted for the offence under Sections 376, 493 of the Indian Penal Code and Section 4 of POCSO Act.

Counsel for the petitioner has submitted that petitioner and informant were known to each other.

The instant case has been filed because informant forced the petitioner to perform marriage with her but he did not perform marriage. In the written report it is alleged that petitioner used to talk with the informant for last eight months. The allegation against the petitioner is that he made physical relationship regularly with the informant. It is further alleged that petitioner had promised her to marry.

The statement of victim girl recorded under Section 164 Cr. P.C. has been enclosed as Annexure-2 wherein she has stated her



age as 17 years and the court has assessed her age also to be 17 years. She has stated similar thing in her statement under Section 164 Cr. P.C. as mentioned in the First Information Report.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Supaul Mahila P.S. Case No. 55 of 2018**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **A.D.J. 1st, Supaul**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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