

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55418 of 2018

Arising Out of PS.Case No. -42 Year- 2018 Thana -RUPAULI District- PURNIA

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Saryug Mandal, S/o Ram Das Mandal, Resident of Village- Tenrenga, P.S.-
Tika Patti, Distt- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Mr. Kumar Virendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Rupouli P.S. Case No. 42
of 2018 instituted for the offence under Sections 366, 504 and
506/34 of Indian Penal Code.

In the written report it is alleged that petitioner
kidnapped the daughter of informant and took away in Scorpio
vehicle.

Case diary has been received.

The statement of victim girl recorded under Section
164 Cr. P.C. is available in the case diary wherein she has levelled
specific allegation against the petitioner that he took her on
Scarpio vehicle. She has stated that petitioner along with driver
was there. They took him in the village where she was kept in the



house of the petitioner along with another lady. She does not know name of village. The petitioner made physical relationship with her. The court has assessed the age of victim girl as 17 years and victim girl has stated her age to be 17 ½ years.

The injury report of the victim girl is available in paragraph-32 of the case diary wherein the Doctor has found no mark of injury either on the body or on her private part. No Spermatozoa was found. The Doctor has found the hymen torn. The Doctor has opined that she may be used for sexual intercourse. In the injury report the age of victim girl is opined between 18 to 19 years. In such circumstances, there is no specific finding given by the Doctor.

Petitioner is said to be in custody since 26.02.2018.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Purnea, in connection with Rupouli P.S. Case No. 42 of 2018, subject to the condition that both the bailors will



be close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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