

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21204 of 2019

Arising Out of PS. Case No.-61 Year-2019 Thana- BAHERA District- Darbhanga

Murari Mandal, Son of Salwa Mandal, Resident of Village- Supaul, P.S.-
Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Bahera P.S. Case No. 61 of 2019 registered for the offence
punishable under Sections 363,366A of the Indian Penal Code.

The informant is the father of the victim, who stated
that her daughter is traceless from 10.02.2019 and even after
extensive search she could not be traced. However, he came to
know subsequently that the petitioner and his family members
had allured the victim girl and there is allegation against
petitioner of taking away the girl and upon said allegations
made on 13.02.2019 FIR was instituted.

It has been submitted on behalf of the petitioner that
both (petitioner and victim girl) have gone to Sonipat, where



brother of victim was living and in the statement recorded by the police she has stated that she had gone there with petitioner with her own sweet will. It has further been submitted that the victim girl was medically examined for age and she was found to be 16-17 year. In scholl certificate her age is about 18 years. However, in her statement under Section 164 Cr.P.C. she retracted from her statement made before the police, victim refused internal medical examination. There is no allegation of any sexual assault.

Petitioner has no criminal antecedent and he is in custody since 17.02.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Benipur, Darbhanga, in connection with Bahera P.S. Case No. 61 of 2019, subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and



sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the 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.

(S. Kumar, J)

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