

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53052 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- TIKAPATTI District- Purnia

JANGLI MANDAL @ RAJEEV KUMAR MANDAL aged about 36 years,
male, S/o Kapildeo Mandal @ Negru Mandal, R/o village + P.S.- Tikapatti,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 376 (D), 506/34 of the Indian
Penal Code and Section 04 of the POSCO Act.

Informant who is uncle of victim has alleged that on
04.06.2016 while her niece Gunja Kumari aged about 15 years had
gone to cut the grass, Umesh Yadav and the petitioner committed
rape upon her.

Learned counsel for the petitioner submits that the
incident is alleged to be of 04.06.2019 whereas FIR has been lodged
on 06.06.2019. The petitioner had also lodged an FIR against the
family of victim on 06.06.2019 where he had gone for repayment of
his loan amount but, he was brutally assaulted. The girl was
examined by the medical board. No internal or external injury was
found. No spermatozoa has been found. The Medical Board has



assessed the age of victim girl to be 14 to 15 years and has opined that there is no sign of any rape. Petitioner has got no criminal antecedent and is in custody since 12.06.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge (POSCO) Act, Purnea, in connection with Tikapatti P.S. Case No. 62 of 2019, Special Case No. 39/2019 subject to the following conditions:

(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 shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(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.

(Anjani Kumar Sharan, J)

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