

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52621 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- PURNEA SADAR District- Purnia

PRAKASH MANDAL Son of Jeevachh Mandal Resident of Village - Shabda
Pothia, P.s.- Falka (Pothia), Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Sadar Police Station Case No. 102 of 2019, disclosing
offences under Sections 363/366-A of the Indian Penal Code.

The allegation against the petitioner is that he
abducted the daughter of the informant, aged about 16 years, for
the purpose of marriage.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as
there was love affairs between the petitioner as well as the
victim girl. He, relying upon Annexure-2, which is the statement
of the victim girl recorded under Section 164 of the Code of
Criminal Procedure, 1973, submits that the victim girl, in her



statement, has categorically stated that she had left her house out of her own free will and had gone to the house of her mausi. He further submits that the victim girl has also admitted love affairs between her and the petitioner. He, accordingly, submits that there is no complicity of the petitioner in the present case.

After having heard learned Counsel for the parties and taking into consideration the fact that in her statement recorded under Section 164 of the Code of Criminal Procedure, 1973, the victim girl has not disclosed anything against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Prakash Mandal, in the event of his arrest or surrender before the Court below within four weeks, 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 Chief Judicial Magistrate, Purnea, in connection with Sadar Police Station Case No. 102 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to



appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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