

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6671 of 2020

Arising Out of PS. Case No.-290 Year-2019 Thana- AURAI District- Muzaffarpur

JITENDRA MANDAL @ RAHUL MANDAL S/o Shivchandra Mandal R/o
village- Hanswara, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-07-2020 Heard learned counsel for the parties.

Petitioner apprehend his arrest in a case registered for the offence punishable under Sections 341, 342, 323, 354B, 504 and 506 of the Indian Penal Code and Section 8 of the POCSO Act.

Informant in her written complaint has alleged that on 15.11.2019, petitioner came to her house and said to accompany her to a Doctor as his son is ill and when she was returning with him, in the midway petitioner misbehaved with her and tore her clothes and said that he was giving her Rs. 500/- and intimidated her not to disclose this incident to anyone or he will kill her brother and sister. Anyhow she saved herself and went to her house and narrated the incident to her sister Putul Kumari and thereafter Putul Kumari went to the house of



petitioner and asked about the incident then petitioner said that it will happen to you also and started assaulting her.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to land dispute. It has been further submitted that petitioner and informant are cousin brother and sister. FIR has been lodged after delay of 5 days. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his/her arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Aurai P.S. Case No. 290 of 2019**, subject to the conditions laid down under Section 438(2) of the Cr.P.C with 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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.

(S. Kumar, J)

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