

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19720 of 2020

Arising Out of PS. Case No.-115 Year-2019 Thana- BARHARA KOTHI District- Purnia

Niranjan Kumar Mandal @ Niranjan Mandal, Son of Late Bhujangi Mandal
Resident of Village - Sukhsena Purvi Tola, Parariya, P.S.- Barhara Kothi,
District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 17-12-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Barhara P.S. Case No.115 of 2019,
registered for the offence punishable under Sections 341, 323,
376, 504, 506 and 34 of the Indian Penal Code.

In the present case, the allegation has been made
that the petitioner, on the pretext of marriage, has entered into
sexual relationship, but the statement made under Section 164
Cr.P.C. says that with consent both were engaged in sexual
activity which was seen by her mother and, thereafter, a
Panchayati was convened where the Panch ordered him to



marry with the victim.

Counsel for the petitioner submits that it was consensual sex between the parties and the girl has been shown to be 18 years.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Purnea in connection with Barhara P.S. Case No. 115 of 2019 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

V.K.Pandey/-

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