

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29758 of 2020

Arising Out of PS. Case No.-69 Year-2019 Thana- MAHILA P.S. District- Madhepura

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RAMLAKHAN MANDAL @ RAM LAKHAN KUMAR Son of Late Bhumi
Mandal Resident of Village-Bina Andoli, P.S.-Supaul, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2020 Due to COVID-19 Pandemic, the matter is being

taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 504, 506/34 of the Indian Penal
Code and Sections 3 and 4 of Dowry Prohibition Act.

The prosecution case, in short, is that co-accused Raj
Kumar Mandal on the pretext of marriage established physical



relation with the victim and the other accused persons including the petitioner demanded dowry from the victim.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses against the petitioner. The petitioner has falsely been implicated in this case. The petitioner has been made accused in this case because he happens to be the Mama of co-accused Raj Kumar Mandal. As per the allegation, said Raj Kumar Mandal is said to have established physical relation with the victim on the pretext of marriage. Learned counsel for the petitioner submits that from perusal of the F.I.R. itself, it is a case of consensual sex. He has placed reliance of a case of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors.)**.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned S.D.J.M.,
Madhepura in connection with Mahila (Madhepura) P.S. case
No.69 of 2019, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure

(Sudhir Singh, J)

Narendra/-

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