

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33661 of 2020

Arising Out of PS. Case No.-111 Year-2020 Thana- SHERGHATI District- Gaya

VIKASH MANDAL, Male, aged about 23 years, S/o Rohan Mandal,
Resident of Village-Ghodwadih, P.S-Dobhi (Sherghati), District-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shiva Shankar Sharma, Advocate.
For the Opposite Party : Mr. Md. Sufiyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 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 after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 376, 354, 323, 341, 504 and 506/34 of
the I.P.C.

The prosecution story, in brief, is that on 14.01.2019,
the petitioner finding the informant alone in the house, entered



into her house and committed rape upon her forcibly and when she raised objection, the petitioner asked to marry with her and thereafter, the petitioner established physical relation several times, on the pretext of solemnizing marriage and when she became pregnant, her pregnancy was terminated and ultimately, the petitioner refused to marry with her, consequent upon, this case has been instituted.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 20.04.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. On the pretext of marriage, it is alleged that the petitioner had established physical relation with the victim for a long period of time. The petitioner has further relied upon the judgment delivered by Hon'ble Supreme Court in case of **(Dr. Dhruvaram Murlidhar Sorav-Versus-The State of Maharastra and Ors)** reported in 2019 SCC OnLine SC 3100 and also in case of **(Maheshwar Tigga Vs. The State of Jharkhand)** reported in 2020 SCC OnLine SC 779.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail 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 learned A.C.J.M., Gaya, in connection with Sherghati (Dobhi) P.S. Case No. 111 of 2020.

(Sudhir Singh, J)

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