

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17362 of 2018**

Arising Out of PS. Case No.-209 Year-2017 Thana- KURSAILA District- Katihar

Manoj Kumar Mandal Son of Ram Das Mandal, Resident of Village- Laheri  
Tola Sabaur, P.S.- Sabaur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Suresh Kumar, Son of Late Chandra Bhuson Mandal, resident of Village-  
Purab Tola Nababganj, P.S.- Kursela, District- Katihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vinay Ranjan

For the Opposite Party/s : Mr.Sri Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

7      19-02-2020                      No body appears on behalf of the petitioner.

It appears from perusal of the record that on 17.2.2020 on the request of the learned counsel for the petitioner, the matter was posted for 18.2.2020 and again on 18.2.2020 no body appeared on behalf of the petitioner though the learned counsel for the State and the learned counsel for the O.P.no.2 are present.

Today also no body appears on behalf of the petitioner though the learned counsel for the O.P.no.2 and the learned APP are present.

Present case has been filed for cancellation of bail granted to O.P.no.2 vide order dated 6.12.2017 passed in



G.R.Case No.5716 of 2017 arising out of Kursela P.S.Case No.209 of 2017 dated 6.12.2017 by the Addl. Sessions Judge cum Special Judge, Katihar for the offence under Section 376 of the Indian Penal Code and 4 of the POCSO Act.

It appears from the impugned order that the learned Special Judge considering the fact that the medical report does not support the prosecution case as no injury was found on the person of the victim has granted regular bail to O.P.no.2

Considering the above, I find nothing wrong in the order granting bail to O.P.no.2.

Accordingly, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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