

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69109 of 2019**

Arising Out of PS. Case No.-24 Year-2019 Thana- MAJORGANJ District- Sitamarhi

VIJAY MANDAL Son of Mahendra Mandal Resident of Village - Dangraha,
P.S.- Majorganj, Distt.- Sitamarhi ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Uday Kumar, Advocate

For the Opposite Party : Mr.Dr.M Kr.Gautam, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 29-01-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

The petitioner is an accused in a case registered for
offence under sections 363, 366A/34 of the Indian Penal Code.

The informant alleges that when his daughter Rupa
Kumari did not return to the house after morning walk, he
started search and in the meantime he got information that co-
accused Babloo Mandal and other accused persons including the
petitioner were seen going on Tempo with his daughter which
created suspicion that the accused persons kidnapped her to
marry with Babloo Mandal.

It is submitted on behalf of the petitioner that the
petitioner has falsely been implicated in this case on suspicion.
It is further submitted that the petitioner is uncle of said Babloo
Mandal who solemnized marriage with Rupa Kumari. Save and
except, there is nothing against him to connect with the offence.
The victim herself has sworn an affidavit in the Court below to
the effect that she has solemnized marriage with the said Babloo
Mandal and now they are living a married life. Petitioner is in
custody since 22.5.2019. Similarly situated co-accused Krishna



Nandan Mandal, Urmila Devi and Alka Devi have already been allowed bail by a bench of this Court vide order dated 20.12.2019, passed in Cr.Mis.No. 84895/2019.

In view of the aforesaid submissions, let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate I Sitamarhi in Majorganj Police Station Case No. 24 of 2019, on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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