

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69731 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- BHEJA District- Madhubani

Sanjay Mandal @ Chhotku Mandal @ Chhotu Mandal, S/O Bindeshwar Mandal Resident of Village- Kathuwar, Police Station- Nauhata (Darhar o.P.), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 18-02-2020

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

The petitioner seeks bail in connection with Bheja P.S. Case No. 22 of 2019, registered under Sections 363 and 366(A) of the Indian Penal Code.

The accusation is that on 09.01.2019 at about 6.00 P.M. daughter of informant, aged about 16 years, left her parental house without giving any information to anyone. Thereafter, informant made hectic search, but she could not find any trace regarding her daughter.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. In course of investigation, daughter of informant was recovered from the house of petitioner. Further submission is that, in fact, due to love



affairs, the daughter of informant aged about 19 years left her parental house and moved with the petitioner outside the State and returned after staying some months from where she was recovered and, thereafter, on the pressure of her parents, she gave statement under Section 164 Cr.P.C. making allegation regarding her kidnapping by the petitioner and others and committing rape by the petitioner and taking her at Delhi and Haryana and returning from there at Kathuwar, village of the petitioner. Further submission is that in the medical examination, the age of the victim was assessed about 19 years. Further submission is that petitioner has no criminal antecedent and he is in custody since 09.04.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-III, Jhanjharpur in connection with Bheja P.S. Case No. 22 of 2019 (G.R. No. 228 of 2019).

(Rajendra Kumar Mishra, J)

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