

THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 7157 of 2020

Munar Mandal @ Munnar Mandal, male, age about 70 years, son of Late Gosai Mandal, resident of village-Mojyashi, Chethru Tola, Ward No. 05, P.S.Ghoghadiha, District Madhubani

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Petitioner

Versus

The State of Bihar

.....
Opposite party

Appearance

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the State : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

8 25.08.2020 Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Ghoghadiha P.S. Case no.89 of 2019 registered under sections 366A and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the accused persons which include the petitioner herein along with his wife and son, with the intention of marriage, kidnapped the minor grand



daughter of the informant. It is further stated that on enquiry the informant was abused and the accused persons told him that the girl would not be returned.

It is submitted by learned counsel for the petitioner that it appears that the victim Sita Kumari eloped and the petitioner has been falsely implicated in the case only for the reason that he happens to be the father of co-accused Shivji Kumar Mandal. There is no eye witness to the occurrence. The petitioner is a 70 years old having no criminal antecedent and is in custody since 18.10.2019. It is lastly submitted that the case of the petitioner stands on a similar footing to that of co-accused, his wife, who has been enlarged on anticipatory bail by this Court.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is named in the F.I.R. and there is direct allegation against him also.

Case diary had been called for in the instant case and the same has been received.

Having heard learned counsel for the parties and on going through the case diary it transpires that the petitioner is one of the three named accused who is stated to have kidnapped the 13 years old minor grand daughter of the informant. The



whereabouts of the said minor is still unknown. In the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. As such the application for bail is rejected.

(Partha Sarthy, J)

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