

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3951 of 2020

Arising Out of PS. Case No.-139 Year-2019 Thana- KATIHAR District- Katihar

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Suraj Kumar Mandal @ Suraj Mandal, aged about 22 years, (Gender-M), Son of Dipksha Mandal @ Dipchha Mandal, Resident of Village- Hariganj Korla Tola, P.S.- Katihar Nagar, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parvati Devi, aged about 40 years (Gender-F), wife of Bindeshwari Paswan
3. Kavita Kumari, aged about 17 years, (Gender-F), daughter of Bindeshwari Paswan
Both resident of Mohalla-Ram Sabha Gaushala, P.S.-Sahayak, District-Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the State : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 01-02-2021

Heard Mr. Bimal Kumar, learned counsel for the petitioner and Mr. Damodar Prasad Tiwary, learned Additional Public Prosecutor (APP) for the State.

2. The petitioner had moved the Court seeking bail in connection with G.R. No. 798 of 2019 arising out of Nagar Sahayak PS Case No. 139 of 2019 dated 19.02.2019, instituted under Sections 363/366A of the Indian Penal Code to which later on Sections 376 of the Indian Penal Code and 4 of the Protection of Children from Sexual Offences Act, 2012 were also added.



3. On 09.07.2020, the Court had released him on provisional bail. The stand taken then was that the petitioner was ready to marry the victim. However, upon coming out, learned counsel for the petitioner has stated that though he was ready to marry the girl, but the girl side was not ready to marry her with the petitioner and further stand was that the petitioner was ready for one-time settlement.

4. Having interacted with the girl and her parents on 09.12.2020 through virtual mode, where they had reiterated that the girl would not be married to the petitioner, but upon offer made by the petitioner that he would pay Rs. 50,000/-, they had accepted the same.

5. Today, learned counsel for the petitioner submitted that Rs. 50,000/- has been paid into the account of the father of the victim girl.

6. Having regard to the aforesaid, the provisional bail granted to the petitioner earlier by order dated 09.07.2020 stands confirmed.

7. The Court would also observe and indicate that the parents of the opposite party no. 3 had agreed that they would not pursue the criminal case filed against the petitioner. Thus, the Court expects that they would honour the stand taken by them



before this Court based upon which the Court had granted the petitioner liberty to pay Rs. 50,000/-, which was accepted by the girl and her parents, and the same has already been paid by him.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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