

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13733 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- KURSAILA District- Katihar

Ranjit Mandal aged about 19 years, gender-Male, Son of Dilip Mandal
Resident of Village - Chain Tola, P.S. - Kursela, District - katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 05-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for short 'APP') for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Kursela PS Case No. 119 of 2020, instituted for the offence under Sections 341, 323, 363, 366A and 504/34 of the Indian Penal Code.

The submission of the petitioner counsel is that the allegation of kidnapping the minor victim stands belied by the statement of the victim recorded under Section 164 of the Cr.P.C., wherein, she has claimed to be 18 years old and has stated that on her own volition she has gone with the petitioner



and solemnized marriage. The Court, while recording the deposition, has assessed the age of the victim to be 19 years. Under such circumstances, the petitioner, based on such false implication, is in custody since 03.07.2020 having no criminal antecedents.

The learned APP representing the State has opposed the prayer for bail. The specific allegation of kidnapping a minor is attributed against the petitioner.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, 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 learned Chief Judicial Magistrate Katihar, District -Katihar, in connection with Kursela PS Case No. 119 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the



petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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