

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17725 of 2021

Arising Out of PS. Case No.-112 Year-2019 Thana- KHUTAUNA District- Madhubani

Umakant Mandal Son Of Lalit Mandal @ Lalit Narayan Mandal Resident Of
Village - Murarpatti, P.S.- Khutauna, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-11-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 376/34 of
the Indian Penal Code and Section 4 of the POCSO Act.

In her statement under Section 164 Cr.P.C. the victim
had levelled allegation of commission of rape against Basant
Kumar Mandal. None else was present at the time of
occurrence. Petitioner is not named in the statement under
Section 164 Cr.P.C.

Since there is no allegation against the petitioner
under Section 376 of the Indian Penal Code or under the



provisions of POCSO Act, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Khutauna P.S. Case No. 112 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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