

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48432 of 2021**

Arising Out of PS. Case No.-39 Year-2021 Thana- HIRAMMA P.S. District- Sheohar

MINTU MANDAL Son of Suresh Mandal Resident of Village - Athkoni,  
P.S.- Hiramma, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      16-12-2021                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Hiramma P.S. Case No. 39 of 2021 registered for the offence under Sections 376, 511 and 448 of the Indian Penal Code.

The informant alleges that the petitioner after entering into her house tried to outrage her modesty and on protest being made by her, the petitioner has been caught hold.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, on account of a land dispute, the petitioner and the informant are in litigating terms and a case being Mahila P.S. Case No. 26 of 2020 has earlier been lodged by the informant against the petitioner. No such occurrence as alleged in the F.I.R. ever took place. Neither any report with respect to internal and external injury on the person of the victim is on record to support the prosecution version nor any case under Section 376 of the Indian Penal Code is made out against the petitioner. The petitioner is rotting in judicial custody since 10.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M.-I, Sheohar in connection with Hiramamma P.S. Case No. 39 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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