

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40815 of 2020

Arising Out of PS. Case No.-162 Year-2018 Thana- SULTANGANJ District- Bhagalpur

RAJA KUMAR MANDAL @ RAJA KUMAR S/O SANTOSH MANDAL
Resident Of Village - Paschim Tola Ekchari P .S .- Rasalpur District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2021 Heard both parties.

The petitioner seeks bail in Sultanganj P.S. Case No. 162 of 2018, registered for the offence punishable under Sections 366(A)/34 of the Indian Penal Code.

As per the prosecution case, minor daughter of the informant was kidnapped by this petitioner along with co-accused Satyam Kumar Mandal for the purpose of marriage.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. The victim girl in her statement under Section 164 Cr.P.C has not named this petitioner rather she has taken name of one Satyam. The victim girl has been medically examined and there was no sign of sexual intercourse. Moreover, similarly situated co-accused



Nilesh Kumar @ Nilesh Kumar Mandal has been granted bail by this Hon'ble Court vide order dated 06.12.2018 passed in Cr. Misc. No. 70123 of 2018. Petitioner bears no criminal antecedent and is in custody since 09.08.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Exclusive Special Judge (POCSO)-cum-8th Additional District and Sessions Judge, Bhagalpur in connection with Sultanganj P.S. Case No. 162 of 2018, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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