

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.39474 of 2020**

Arising Out of PS. Case No.-10 Year-2016 Thana- AMARPUR District- Banka

GOUTAM MANDAL @ GAUTAM MANDAL, Son of Lakshman Mandal,  
Resident of Village- Mahota, Tola Bindu Bishanpur, P.S.- Amarpur, District-  
Banka ... Petitioner

Versus

The State of Bihar ... Opposite Party

**Appearance :**

For the Petitioner : Mr. Dinkar Kumar, Adv.

For the Opposite Party : Mr. Veena Kumari, Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2 15-07-2021

As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 24.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Amarpur P.S. Case No. 10 of 2016, registered under Sections 363 and 366A/34 of the Indian Penal Code.

The accusation is that daughter of the informant, Bablu Sharma, aged about 14 years, had gone to Amarpur Girls High School on 06.01.2021, but, she did not return. In course of search, informant, Bablu Sharma, went at the house of Gautam Mandal (petitioner) and made complaint to his father, then, he misbehaved and moved him out from the house.

Learned counsel appearing on behalf of the petitioner submits that in fact, due to love affairs in between the petitioner and



daughter of the informant, the daughter of the informant left her house, according to her sweat-will to perform the marriage at Kolkata with the petitioner and both started to live as husband and wife, but, with ulterior motive the informant lodged the present case. Further, submission is that the statement of the victim-daughter of the informant, recorded under Section 164 of the Criminal Procedure Code on 22.09.2020 in which she has stated about performing marriage with the petitioner according to her sweat-will and leading conjugal life, at that time the age of the victim-daughter was about 18 years.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Amarpur P.S. Case No. 10 of 2016 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

**(Rajendra Kumar Mishra, J)**

Shamshad/-

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