

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54257 of 2021**

Arising Out of PS. Case No.-123 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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ROHIT MANDAL SON OF RAMDEO MANDAL R/O VILLAGE-
HINGAULI, P.S.- SADAR, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Karn, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-09-2021 Heard Mr. Sunil Kumar Karn, learned counsel for

the petitioner and Mr. Mukeshwar Dayal, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with

Sessions Trial No. 21 of 2021 arising out of Darbhanga Sadar

P.S. Case No. 123 of 2019 registered for the offence

punishable under Sections 363 and 366(A) of the Indian Penal

Code, 1860.

This is second attempt for grant of regular bail on

behalf of the petitioner inasmuch as earlier the bail application

of the petitioner was rejected by this Court vide order dated

25.6.2021 passed in Cr. Misc. 6233 of 2021 with liberty to



renew his prayer for grant of regular bail before the learned court below in pursuance of the order dated 01.10.2020, passed in B.P. No. 461 of 2020.

While rejecting the bail application of the petitioner by the learned court below, the learned court below had given liberty to the petitioner to renew his prayer for bail after framing of charge.

The allegation against the petitioner as per the First Information Report is that the wife of the informant scolded the informant's daughter on noticing an unknown mobile in her possession, due to which, she left her house and did not return. It has further been alleged that on inquiry the informant got knowledge that the said mobile was given to the daughter of the informant by the petitioner. It has further been alleged that co-accused persons, namely, Laxman Verma and Sunny, used to talk with the daughter of the informant and send messages on her mobile. Accordingly, the informant raised suspicion against the petitioner and other accused persons that they have abducted the minor daughter of the informant.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and there is no allegation of kidnapping against the petitioner



and from perusal of the statement of victim girl recorded under Section 164 Cr. P.C., it would be evident that no force was applied by the petitioner for her abduction. Learned counsel further submits that the victim girl has not alleged that she was exploited by the petitioner physically. Learned counsel next submits that charges have already been framed in this case and due to Covid-19 pandemic, the trial is not likely to be concluded in near future and the petitioner is in custody since 25.8.2020 having no criminal antecedent.

Regard being had to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 25.8.2020 having no criminal antecedent and charges have already been framed as well as this is second attempt on behalf of the the petitioner for grant of regular bail, I am inclined to grant regular bail to him.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Darbhanga, in connection with Sessions Trial No.21 of 2021 arising out of Darbhanga Sadar P.S. Case No. 123 of 2019.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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