

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13661 of 2022

Arising Out of PS. Case No.-165 Year-2020 Thana- BARHARA KOTHI District- Purnia

JITENDRA KUMAR MANDAL, SON OF SHAMBHU MANDAL Resident
of Village - Bela Pemu, P.S.- Barhara Kothi, (Raghubansh Nagar), Distt.-
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Barhara (Raghubansh Nagar) P.S. Case No. 165 of 2020 for the
offence punishable under Sections 341, 323, 324, 354B, 504 and
379/34 of the Indian Penal Code.

The prosecution story, in brief, is that one co-accused
Anandev Kumar Mandal @ Ananddev Mandal along with the
petitioner had misbehaved with the informant. Allegation
against the petitioner is that he had assaulted the informant with
fist on her face and outraged her modesty.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that direct allegation of outraging the modesty of the informant is against co-accused one Anandev Kumar Mandal @ Ananddev Mandal. Allegation against the petitioner is that he has cooperated in such illegal act along with said Anandev Kumar Mandal @ Anandev Mandal who has already been released on bail by a co-ordinate Bench of this Court vide order dated 25.08.2021 passed in Cr. Misc. No. 12630 of 2021 and the petitioner claims parity.

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

Considering the nature of allegation made against the petitioner and the co-accused against whom there is direct allegation of outraging the modesty of the informant has already been released on bail by a co-ordinate Bench of this Court, prima facie, the petitioner has made out a case to be released on bail on the basis of parity.

The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Purnea in connection with Barhara (Raghubansh Nagar) P.S.

Case No. 165 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

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

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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