

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19583 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- BATHNAHA District- Sitamarhi

Dukha Mandal S/o Late Nathuni Mandal R/o village- Kamaldah, P.S.-
Bathnaha, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioner and the

State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Bathnaha P.S. Case No. 15 of 2022 under sections 363 and
366(A)/34 of the Indian Penal Code.

The allegation in the FIR lodged by the father of
the victim girl is that while she had gone to attend call of nature,
she was kidnapped by amongst other the petitioner herein. The
informant apprehended that she may be sold or put into
prostitution or in immoral trafficking business.

Learned counsel for the petitioner submits that
subsequently, the victim girl was recovered and she made a



statement under Section 164 of the Cr. P.C. stating therein that she had married Jitu Kumar who is son of the petitioner herein in a temple in Ranchi and only because it was an inter-religion marriage, her family members are not happy and have lodged the case. She has further narrated that she is 20 old and she is very happy after the solemnization of the marriage with Jitu Kumar.

Taking into account the fact that the petitioner is father of Jitu Kumar, who is said to have solemnized marriage with the victim girl (who has recorded her statement under section 164 of the Cr.P.C. that she is 20 years of age, and has remained Jitu Kumar) and is in jail since 30.1.2022 (as stated in para 19 of the bail application) and further has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Bathnaha P.S. Case No. 15 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

