

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21481 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- LADANIA District- Madhubani

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MUKESH MANDAL @ MUKESH KUMAR MANDAL S/O
DHARMNATH MANDAL R/o village- Paroriyahi, P.S.- Ladaniya, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

Mr.Kaushal Kumar, Adv.

For the Opposite Party/s : Dr.Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 376, 420, 323, 504, 34 IPC.

Petitioner is said to have established illicit physical relationship with the informant on the pretext of marriage and later on denied to marry her.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. Petitioner has no criminal antecedent. It is submitted that the occurrence is between the year 2018-2020 but the F.I.R. has been lodged in the year 2021 after a long delay. It is further submitted that except the statement of the victim recorded u/s 164 Cr.P.C. and 161 Cr.P.C. in the case diary, no other witness has supported the prosecution case. Age of the victim was 19 years and hence she was a major. Medical report suggests that there was no evidence of rape or cohabitation.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 court below where the case is pending/Successor Court in connection with Ladaniya P.S. Case No.266 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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