

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43463 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- EAST COLONY District- Munger

Rohit Kumar Mandal Son of Mainu Mandal R/O Village - Laghunagar Matadih, P.S.-
Dharhara, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with East
Colony P.S. Case No. 06 of 2022 registered for the offences
punishable under Sections 366(A) and 363 of the Indian Penal
Code.

Allegedly, the informant's daughter was kidnapped by
this petitioner and the victim left the house of her father with
ornaments, coins and Rs. 30,000/- in cash in effect to the
pursuance caused by this petitioner to the victim.

The main submissions advanced by learned counsel
Mr. Ravish Mishra appearing for the petitioner are that the
prosecution's story in the FIR is completely unbelievable as the



time of occurrence is around 10 P.M. and at that time no one allow the minor girl to leave her parental house and by these facts the allegation made in the FIR is falsified and moreover the victim herself surrendered before the police and her statement recorded under section 164 of the Cr.P.C. has not supported the allegation made in the FIR and the FIR was lodged four days after the alleged occurrence.

Learned APP Mr. Shyameshwar Dayal appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the victim's statement recorded under Section 164 of the Cr.P.C. filed as Annexure-2. The facts revealed by the victim in her statement completely go against the allegation and the prosecution's story narrated in the FIR and the petitioner has been languishing in jail since 28.04.2022. Considering these facts, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned court in connection with East Colony P.S. Case No. 06 of 2022.

(Shailendra Singh, J.)

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