

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64658 of 2021

In
CRIMINAL APPEAL (SJ) No.3770 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- NAYA RAM NAGAR District- Munger

=====

SUNNY MANDAL @ KHARGOSH Son of Shankar Mandal Resident of
Village - Nawagarhi, P.S.- Naya Ramnagar, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Usha Kumari 1

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 13-05-2022 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
Naya Ramnagar P.S. Case No. 171 of 2020 for the offence
punishable under Sections 447, 341, 504, 506 and 366A/34 of
the Indian Penal Code, Section 8 of the POCSO Act and
Sections 3(i)(r)(s) of the SC/ST Act.

Prosecution story, in brief, is that informant is the
mother of the victim and she has made allegation against the
petitioner that the petitioner had kidnapped her daughter and



forcibly confined her. Victim was aged about 16-17 years on the date of lodging of the F.I.R.

It is submitted by the learned counsel appearing on behalf of the petitioner that the victim as per own wish has married with with the petitioner and they are leading a happy married life. The victim recorded her statement under Section 164 Cr.P.C., that she was in love affair with the petitioner. Petitioner had not kidnapped her rather she had left the house of her parents out of her own will to marry with the petitioner. No case of kidnapping is made out against the petitioner and the date on which the statement of the victim under Section 164 Cr.P.C. was recorded, the victim was aged about 19 years. Hence the petitioner may be released on bail.

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

Considering the aforementioned facts and circumstances of the case and statement of the victim recorded under Section 164 Cr.P.C. in which she has stated that she is adult and has willingly married with the petitioner.

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 Addl. Sessions Judge-VI cum Exclusive Special Court, POCSO, Munger in connection with Naya Ramnagar P.S. Case No. 171 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)

mantreshwar/-

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

