

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7102 of 2023

Arising Out of PS. Case No.-790 Year-2022 Thana- KAHALGAON District- Bhagalpur

1. BUCHAI MANDAL @ BUCHRA MANDAL Son of Late Chaudhary Mandal R/V- Baskola, P.s- Kahalgaon, Dist- Bhagalpur
2. Bhawishya Mandal Son of Kailash Mandal R/V- Baskola, P.s- Kahalgaon, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Kahalgaon P.S. Case No. 790 of 2022 dated 07.08.2022, registered for the offence punishable u/s 363, 365/34 of the IPC and Section 08 of the POCSO Act.

Allegedly, Dhananjay Mandal kidnapped the informant's minor daughter with the help of the petitioners.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific allegation against one Dhananjay Mandal that he abducted the informant's minor daughter. It is further submitted that these petitioners have no connection with all these affairs but under misconception, they have been dragged in this case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the statement of the victim has been recorded u/s 164 Cr.P.C. in which she has supported the prosecution case.

Considering the facts and circumstances of case, as victim girl has supported the prosecution case in her statement u/s 164 Cr.P.C., I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

divyanshi/-

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

