

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14272 of 2023

Arising Out of PS. Case No.-70 Year-2022 Thana- ASHOK PAPER MILL District-
Darbhanga

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GANESH MANDAL @ GANESH KUMAR Son of Rajendar Mandal R/v-
Pator near Mahadev Mandir, P.S.- A.P.M. (Pator O.P.), District- Darbhanga
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Jha, Advocate
For the Opposite Party/s : Mr.Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with A.P.M. (Pator O.P.) P.S. Case No.- 70 of 2022 registered for the offences punishable under Sections 363/ 366/ 34 of the Indian Penal Code, 3(I)(r)/ 3(I)(S) of the SC/ST Act and Section 8/12 of the POCSO Act. He has got no criminal antecedent.

As per the prosecution story, on 10.03.2022 at 10:00 P.M. when the informant's daughter went outside, she did not return back. When the informant searched for her, she got an information that her daughter was taken away by the accused persons including the petitioner for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the victim girl disclosed that she was in love with this petitioner and had gone on her own.



Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, the submission of the victim girl is that she was in love with this petitioner and had gone on her own, she has disclosed her age as 20-22 years saying that she is not a minor girl, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with A.P.M. (Pator O.P.) P.S. Case No.- 70 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO) Darbhanga, Bihar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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