

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22870 of 2023**

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA PS District- Jamui

Tinku Mandal @ Tinku Kumar @ Santosh Kumar Son Of Ram Charitra
Mandal Resident Of Village- Ujhandi, Ps- Jamui, Distt- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Lal, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 17-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 22.12.2022 in connection with Jamui Mahila P.S. Case No. 14 of 2022, F.I.R. dated 07.08.2022 for the offences punishable under Sections 376, 420, 354(d), 506, 509 of the Indian Penal Code and Section 67, 67(A) of the I.T. Act.

3. According to prosecution case, on the basis of written report of the informant/victim girl stating therein that on 07.03.2022, the victim girl was working as a nurse/ward duty in the private hospital of Dr. Neeraj Shah and the accused/petitioner Tinku Kumar was also working in the said Hospital. It is further stated by the informant that the accused was threatening the informant that the said video may be uploaded



on social medial and by using the fear sexually assaulted the informant several times and on dated 23.02.2022, the accused has uploaded the said video in social medial and due to this reason the husband and mother of the informant has thrown her away from the house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.. He further submits that in fact the victim was major aged about 29 years old and it has come during investigation para 34 and 35 of the case diary that the victim was in love with the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 22.12.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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 learned Sub-Divisional Judicial Magistrate, Jamui in connection with Jamui Mahila P.S. Case No. 14 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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