

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.24105 of 2023**

Arising Out of PS. Case No.-51 Year-2022 Thana- RAJNAGAR District- Madhubani

Dipak Kumar Mandal Son Of Mishrilal Mandal R/O Village- Balha, P.S.-  
Khajuri, District- Dhanusha (NEPAL)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA  
ORAL ORDER**

3      31-08-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Rajnagar P.S. Case No. 51 of 2022 dated 04.03.2022 instituted under Sections 363, 366(A), 120B, 504 and 506 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The allegation against the petitioner is that he along with other co-accused kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The victim girl in her statement under Section 164 Cr.P.C. has not alleged any overt act against the petitioner and stated that she had gone to her bua (Aunt) place with petitioner and



was not able to contact with her guardian. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-VI-cum-Special Judge POCSO Act, Madhubani, District-Madhubani in Rajnagar P.S. Case No. 51 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

P. Kumar

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