

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27324 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- AMAUR District- Purnia

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Lobin Mandal Son Of Late Jhamu Mandal @ Jhammu Mandal Resident Of
Village - Fakir Toli, P.S. - Amour, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Spl. (POCSO) Case No. 22 of 2023 arising out of Amour P.S.
Case No. 43 of 2023 instituted for the offence under Sections
376(DB), 302 and 34 of the Indian Penal Code and Section 6
POCSO Act.

Allegation against the co-accused person, namely,
Kush Mandal along with this petitioner and one other co-
accused is that they killed the daughter of the informant after
committing rape. It is further alleged that they hid the dead body
of the deceased in an orchid.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case due to village politics. It is further submitted that the name of the petitioner came into light in this case on the basis of disclosure made by deceased's friend who said that co-accused, namely, Kush Mandal had taken away the informant's daughter along with this petitioner and one other co-accused person after alluring her. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 12.02.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that co-accused, namely, Kush Mandal along with this petitioner and one other co-accused person had taken away the informant's daughter and committed rape. It is further alleged that after commission of rape, they killed the victim. It is also submitted that during investigation, witness and postmortem report also corroborated the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



The trial court is directed to expedite the trial and
conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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