

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28568 of 2023**

Arising Out of PS. Case No.-131 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

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RUPESH KUMAR MANDAL S/O GANESH MANDAL R/O Village-  
Premnagra, Tole Malikana, P.S- Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Madhubala Verma, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(,APP

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

3      21-07-2023                      Heard learned counsel appearing for the petitioner  
and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since  
18.03.2023 in connection with Runnisaidpur P.S. Case No.  
131 of 2023, F.I.R. dated 11.03.2023 registered for the offence  
punishable under Section 366(A) of IPC.

3. There is allegation in the FIR that informant runs  
a private School. On 10.03.2023 at 8.50 A.M., he dropped his  
minor daughter (victim) aged about sixteen and half years and  
son aged about 10 years in the school and went to  
Runisaidpur for some work and when he returned, he did not  
find his daughter in the School and so he lodged the case  
against unknown.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the statement of the victim was recorded under Section 164 Cr.P.C. in which she has not supported the case of the prosecution and the victim categorically stated that she has herself went to West Bengal with her own sweetwill and the petitioner has not abducted her and the petitioner is in custody since 18.03.2023.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Sitamarhi in connection with Runnisaidpur P.S. Case No. 131 of 2023, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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