

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37360 of 2023

Arising Out of PS. Case No.-46 Year-2022 Thana- ANTICHAK District- Bhagalpur

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Pankaj Mandal @ Pankaj Kumar Mandal Son Of Koshi Mandal @ Kosim
Mandal Resident Of Village - Chandni Chawk, (NAYAN Sukh Nagar Kothi),
P.S. - Antichak, District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Antichak P.S. Case No. 46 of 2022 dated 17.08.2022, lodged
under Sections 376, 504, 506 of the I.P.C. read with Section 4 of
the POCSO Act.

4. As per the prosecution case, there is allegation of
committing rape of minor girl in the F.I.R. against the accused
persons.

5. Learned counsel for the petitioner submits that the
allegation against the petitioner is that he has committed rape

and subsequently, started threatening the informant. Counsel further submits that the antecedent of the petitioner is clean and he is in custody since 18.08.2022. Counsel specifically submits that from the contents of the F.I.R., it transpires that the present F.I.R. has been filed after delay of three months, which itself creates doubt on the prosecution case.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VIIth-cum-Special Judge, (POCSO Act), Bhagalpur in connection with POCSO Case No. 166 of 2022 arising out of Antichak P.S. Case No. 46 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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