

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47434 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- PUPRI District- Sitamarhi

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1. Anil Mandal, Son of Baiju Mandal
 2. Chandan Mandal @ Birendra Kumar, Son of Anil Mandal
Both Residents of Village - Jhajhihat, P.S.- Pupri, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-08-2023 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. Petitioners seek regular bail in connection with
Pupri P.S. Case No. 134 of 2022 dated 13.05.2022 registered for
the offences punishable under Sections 363, 366A, 354, 376 and
511/34 of the Indian Penal Code and Sections 4/6 of the
POCSO Act.

3. The main submissions advanced by the learned
counsel for the petitioners are that the petitioner no. 1 preferred
Cr. Misc. No. 65588 of 2022 along with co-accused Runa Devi
for the relief of anticipatory bail which was allowed on



05.05.2023 only with respect to the said co-accused as in the meantime the petitioner no. 1 got arrested and accordingly his relief for anticipatory bail became infructuous, the victim and informant are residents of the same village as that of the accused persons and the date of occurrence is stated to be 19.09.2021 but the complaint with an improbable story was filed on 17.01.2022 and against the petitioner no.2, who is the brother of the co-accused Heera Mandal there is no serious and specific allegation and he has been languishing in jail since 12.03.2023.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the nature of allegations and the considerable delay having taken place on the part of the complainant in taking legal action in respect of the alleged wrong despite the said wrong having come in the knowledge of the complainant several months ago from the filing of the complaint and several persons have been named in the complaint, in my opinion, it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be enlarged on bail in connection with Pupri P.S. Case No. 134 of 2022 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand)



each with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Rajiv/-

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