

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50090 of 2022

Arising Out of PS. Case No.-154 Year-2022 Thana- FORBESGANJ District- Araria

Deepak Kumar Mandal S/O Rajesh Mandal Resident Of Village- Majhuwa,
P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Forbesganj P.S. Case No. 154 of 2022 registered under sections 376, 504 and 506 of the Indian Penal Code and Section 3 of the POCSO Act.

Prosecution case in short is that while victim was walking, in the mean time, two persons came and took her to Nepal and committed rape. It is further alleged that petitioner brought her to his house and confined her for forty five days and committed wrong and also threatened to make the video viral.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. It is further



submitted that victim has already solemnized marriage with another person and leading a conjugal life. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 23.05.2022.

The application for bail is vehemently opposed by learned APP for the State and submitted that the statement of victim was recorded under Section 164 of Cr.P.C., in which she stated that the petitioner took away her forcefully and committed rape several times on that night in Nepal on the pretext of making video viral and thereafter he brought her to his house and committed wrong which is mentioned in para-34 of the case diary.

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 early as possible.

(Sunil Kumar Panwar, J)

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