

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56697 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- PATORI District- Samastipur

MANDAL PASWAN @ MANJAY KUMAR @ MANJAY KUMAR
PASWAN @ MANDAL KUMAR S/o Sri Lal Paswan Resident of Village -
Banwaripur, P.s.- Bhagwanpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Namrata Mishra, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 25-01-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case

registered for the offences punishable u/s 363, 366 and 366A of

the Indian Penal Code.

As per the prosecution case, the petitioner is alleged

to have kidnapped the daughter of the informant who is aged

about 17 years.

Learned counsel for the petitioner has submitted that

the petitioner has falsely been implicated in this case. The



petitioner has no criminal antecedent as stated at para 3 of the bail petition. The victim in her statement u/s 164 of the Cr.P.C has stated that the petitioner took away the victim on a motorcycle by tying her eyes with *patti*. Nothing has happened to her. She has not stated that she was forced to have sexual intercourse with other persons including the petitioner, hence, no offence u/s 366A is made out against the petitioner.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Patori (Mohanpur) P.S. Case No. 101 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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