

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60355 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- HARLAKHI District- Madhubani

1. DEVENDRA MANDAL son of Sangam Mandal @ Sogam Mandal village- Sothgaon Ps- Harlakhi Dist- Madhubani
2. Rasho Devi wife of Devendra Mandal @ Sogam Mandal village- Sothgaon Ps- Harlakhi Dist- Madhubani
3. Bibha Devi wife of Pramod Mandal village- Sothgaon Ps- Harlakhi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Bhupendra Narayan Singh
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in connection with Harlakhi P.S. Case No.07 of 2023, registered for the offence punishable under Sections 366A and other allied sections of the Indian Penal Code.

3. The allegation against the petitioners is that they along with co-accused Manoj Mandal kidnapped the daughter of the informant for the purpose of marriage.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Manoj Mandal. The petitioners are the family members of Manoj Mandal and there is no specific overt act against them. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim has supported the prosecution case in her statement recorded u/s 164 of Cr.PC and the victim is a minor.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioners surrenders before the learned Court below within a period of six weeks from today and seeks for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering



that the petitioners have no criminal antecedent and the matter
has been compromised between the parties.

(Anjani Kumar Sharan, J)

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