

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67178 of 2023

Arising Out of PS. Case No.-241 Year-2022 Thana- PHULPARAS District- Madhubani

BIRJU MANDAL @ BRIJ NARAYAN MANDAL SON OF LATE
MAHADEV MANDAL VILLAGE- BELHA, PS- PHULPARAS, DIST-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

Mr. Kumar Dhananjay Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

- 2 18-10-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.
2. Petitioner apprehends arrest in connection with
Phulparas P.S. Case No. 241 of 2022 registered for the offences
under Sections 341, 323, 376, 420 and 34 of the Indian Penal
Code and Section 8 of the POCSO Act.
3. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in the
instant case. Further submission is that the FIR has been lodged
after a delay of two weeks without there being any explanation
for the same. It is also submitted that the final form has been
submitted and also no sign of sexual assault is found in the
medical examination of the victim as contained in the medical



report at Annexure-P4. Petitioner has no criminal antecedent.

4. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner, above named is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of Additional Sessions Judge-VII-cum-Special Judge (POCSO), Madhubani in connection with Phulparas P.S. Case No. 241 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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