

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68914 of 2022

Arising Out of PS. Case No.-127 Year-2020 Thana- BARARI District- Katihar

Manchan Mandal, S/O Arjun Mandal, Resident of village- Madheli, P.S.-
Barari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

3 22-03-2023 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 a case registered for the offences punishable under Sections 449, 341, 323, 376, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner along with others is of forcibly raping the informant, while she was going to sleep in her room, further they abused and assaulted the informant and thereafter fired and fled away.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to local politics. He submitted that the medical report of the victim which is examined by the doctor and it appears that the doctor has also not found either the external or internal sex injury or any type of injury on the victim. There is general and omnibus allegation against the petitioner of rape and shot fire upon the victim. Victim is a married lady who is aged about 40 years. Learned counsel for the petitioner further submitted that there is no independent witness to support the prosecution case and as such there is no legal evidence except the self statement of the victim. It is also submitted that petitioner is languishing in judicial custody since 23.08.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Barari P.S. Case No. 127 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
C.J.M., Katihar.

(Sunil Kumar Panwar, J)

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