

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73657 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- BARIYARPUR District- Munger

=====

Suraj Mandal @ Suraj Kumar Suman, S/o Sri Bindeshwar Mandal @ Bineshwar Mandal, R/o Saraswati Nagar, Bariarpur, P.S.- Bariarpur, Distt- Munger.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-03-2023 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Bariarpur P.S. Case No. 28/2021, registered for the offence under Sections 366A/34 of the I.P.C.

The accused/petitioner is named in the F.I.R. and is in custody since 26.08.2022.

The allegation against the petitioner is to kidnap the minor daughter of informant, aged about 15 years alongwith



other co-accused persons/family members for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioner submitted that petitioner falsely implicated in the present case for the reason that love affair of victim was not accepted by her parents. It is also submitted that after alleged recovery, the statement of victim girl was recorded under Section 164 of Cr.P.C., where she categorically denied the allegation of kidnapping and sexual assault as alleged against this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of kidnapping and sexual assault is not available against this petitioner, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bariarpur P.S. Case No. 28/2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II,



Munger/concerned court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

