

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4441 of 2023

Arising Out of PS. Case No.-317 Year-2020 Thana- NATHNAGAR District- Bhagalpur

Arun Kumar, Son of Jagdeo @ Jagdish Mandal Mandal, Resident of Village-
Siktiya, P.S.- Sajour, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner is named in the FIR and apprehending his arrest in connection with Nathnagar (Madhusudanpur) P.S. Case No.317 of 2020 & POCSO Case No.86 of 2020 registered for the offences punishable under Sections 366A read with 34 of the Indian Penal Code.

Allegation against the petitioner is to help his brother to kidnap the minor daughter of informant along with other family members for the purpose of illicit intercourse/marriage.

It is submitted by learned counsel that implication of petitioner with present case is only for the reason that he is the brother of main accused persons, namely, Sargun Mandal, who alleged to kidnap the minor daughter of the informant out



of love affairs. It is submitted that present prosecution initiated as love affair of brother of petitioner with daughter of informant was not accepted by their family. While concluding argument, it is pointed out that main co-accused, namely, Sargun Mandal is on regular bail and he solemnized his marriage with victim girl and moreover the petitioner is a man of clean antecedent.

The learned APP opposes the prayer for bail.

In view of the above-mentioned facts and circumstances, as implication of petitioner appears only being brother of main co-accused, namely, Sargun Mandal, accordingly, in the event of his arrest or surrender in the court below within a period of four weeks of this order, he is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-VI-cum-Special Judge, POCSO Act, Bhgalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No.317 of 2020 & POCSO Case No.86 of 2020, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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