

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12680 of 2024

Arising Out of PS. Case No.-501 Year-2022 Thana- BIKRAM District- Patna

Mantu Kumar @ Mantu Yadav Son of Ganga Dayal Prasad R/o Village-
Nijampur, Nijampur Tola (Ganga Chak), P.S.- Bikra, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rana Baljit Singh, Advocate
For the Informant	:	Mr.Ranjeet Kumar Pandey, Advocate
	:	Mr.Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioner, learned
counsel for the informant, learned APP for the State and perused
the case diary.

2. The petitioner seeks bail in connection with Special
Case (POCSO) No. 290 of 2023 arising out of Bikram P.S. case
No. 501 of 2022 instituted for the offences under Sections 363,
366A, 376 of the Indian Penal Code and Section 4 of the
POCSO Act.

3. Prosecution case, in short, is that the petitioner
kidnapped the daughter of the informant on the false pretext of
marriage.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that there is a delay of five days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that there is contradictions in the statements of the victim recorded under Sections 161 and 164 of the Cr.P.C. Learned counsel further submitted that charge has already been framed against the petitioner. Learned counsel further submitted that victim has refused for the medical examination. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.07.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, stage of the trial, clean antecedent of the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case (POCSO) No. 290 of 2023 arising out of Bikram P.S. case No.



501 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

