

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32371 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- AMDABAD District- Katihar

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Dular Mandal Son of Late Gena Lal Mandal Resident of Village- Gauripur
,P.S- Amadabad, Dist- Katihar

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Amdabad P.S. Case No. 209 of 2023 dated 09.08.2023 registered for the offence/s punishable u/ss 363, 341, 342, 323, 376, 504/34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused is alleged to have abducted the informant on the pretext of marriage and took her to the house of the petitioner who is the elder brother of the co-accused Kishore Mandal and the co-accused made physical relationship with the informant. It is further alleged that she was assaulted by the accused



persons and they ousted her from the house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation of abducting the informant is against the co-accused Kishore Mandal. The petitioner is made accused only because he is the elder brother of the co-accused. The informant is a married lady who is major. It is further submitted that both the victim and the co-accused person Kishore Mandal chose to have illicit relationship with their own will. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Katihar in connection with Amdabad P.S. Case No. 209 of 2023, subject to conditions



as laid down under section 438(2) of the Code of Criminal
Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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