

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35650 of 2024

Arising Out of PS. Case No.-208 Year-2019 Thana- BHARGAMA District- Araria

Ramanad Mandal @ Ramanand Mandal Son Of Ghinay Mandal Village-
Khutaha, Baijnathpur, Ps- Bhargama, Dist- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner is apprehending his arrest in connection with Bhargama P.S. Case 208 of 2019, registered on 26.08.2019 for the offences under Section 364 of Indian Penal Code.

3. As per prosecution case, the petitioner took away the husband of the complainant/informant to Punjab for doing the work of labourer and when the husband of the complainant/informant demanded his wages, he was assaulted and the petitioner secretly confined him somewhere. The petitioner and the co-accused persons also assaulted the complainant/informant and snatched her mobile phone and ornaments when she went to make inquiry from them about her



husband.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Earlier, Mahila P.S. Case No. 70 of 2017 under Section 376, 313, 34 IPC was registered by the wife of the petitioner against the husband of the complainant/informant with an allegation that he raped their minor daughter. Spl. POCSO Case No. 44 of 2017 came to be registered in which the husband of the complainant/informant was arrested. Learned counsel further submits that even the witnesses during the investigation have stated that complainant/informant has lodged false case of kidnapping of her son Bhagwan Mandal against accused persons. Learned counsel further submits that complainant/informant is in habit of lodging false cases against the petitioner and his family. The husband of the complainant/informant is available in his house and there has been no kidnapping or abduction or secret confinement. The petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail. Learned APP further submits that there is specific allegation against the petitioner for involvement in missing of the husband of the complainant/informant.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the previous case filed against the husband of the complainat/informant and strong possibiltiy of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Araria/concerned court in connection with Bhargama P.S. Case No. 208 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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