

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47410 of 2023

Arising Out of PS. Case No.-141 Year-2021 Thana- KATIHAR NAGAR District- Katihar

Mukesh Roy @ Mukesh Rai @ Mukesh Mandal, Son of Gayani Mandal,
Resident of Budhu Chak (Barmasia), P.S. Sahayak Katihar, District- Katihar.
.. ... Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 13-09-2024 Heard Mr. Ajit Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Anuj Kumar
Shrivastava, learned APP appearing on behalf of the State.

2. The Petitioner seeks regular bail in connection with
S.T. Case No.220 of 2021 arising out of Town (Sahayak) P.S.
Case No.141 of 2021 registered for offences punishable under
Sections 363, 366(A), 341, 323, 354(A), 504, 506/34 of the
Indian Penal Code.

3. As per the allegation made in the FIR, the
informant, Sunita Devi w/o Pramod Jha, resident of Banipur,
P.S. Manihari, Dist. Katihar, has alleged in the FIR registered on
19.03.2021 at 12:35 that, on 12.03.2021 that one Mukesh
Mandal, who is a married man, had lured her daughter Babul
Kumari, aged about 14 years, into his love trap and fled away
with her, either to marry her or to get her married to someone



else. Thereafter, the informant, along with her husband and son, went to the house of the accused, where the informant's son was assaulted, abused and threatened by the family members of the petitioner and the informant was also threatened of dire consequences that her entire family will be killed, if she dared to file a case against the accused persons. The victim girl was found by GRP, Samastipur at Samastipur railway station on 12.03.2021 and from there, she was presented before the District Child Welfare Committee, Samastipur and then she was sent to Balika Grih, Begusarai, where she was kept for nine months without reasons before she was recovered by Katihar Police on 01.02.2022 and was produced before the Judicial Magistrate-second class on 03.02.2022, for recording statement under Section 164 Cr.P.C. Records show that nine months ago, while the victim was returning from tuition, she was kidnapped by two boys on a motorcycle.

4. The petitioner has earlier approached this Court by filing Cr. Misc. No.68307 of 2012, which was dismissed vide order dated 21.09.2022.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. Learned counsel further



submitted that the petitioner is in custody since 21.03.2021.

6. Learned APP for the State vehemently opposed the prayer for grant of bail.

7. Having considered the rival submissions made on behalf of the parties, as well as, the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail and, accordingly, the present bail application stands dismissed.

(Purnendu Singh, J.)

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