

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72051 of 2023

Arising Out of PS. Case No.-152 Year-2020 Thana- MADHEPURA District- Madhepura

RAJESH MANDAL S/o MADAN MANDAL @ MADAN KUMAR
MANDAL R/o vill - Dighra (Mahua), P.S. - Ghailarh, Distt. - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Devi D/o Sudhir Kumar singh R/o vill - Arraha (Mahua) P.s. - Ghailarh, Distt. - Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Madhepura (Ghailarh OP) P.S. Case No. 152 of 2020 dated 19.02.2020, instituted for the offence punishable under Sections 341, 342, 363, 366 A and 506 of the Indian Penal Code and under Section 8 of the POCSO Act.

3. The prosecution case, in short, is that informant along with her minor daughter was returning after attending Ram Charitra manas Yagya, which was organized inside the Mahua Sarvodaya Ashram. In the meantime, Rajesh Mandal (petitioner), Ranjan Mandal, Sujeet Yadav, Pintu Yadav, Lalit



Kumar and Munna Thakur came there with three motorcylces and kidnapped her daughter and fled away from there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that statement of the victim girl has been recorded under Section 164 Cr.P.C.. The said victim has disclosed her age as 22 years but the court has assessed her age as 18 years. It is further submitted that the statement of the victim has not supported the case of the prosecution. She has stated that she has married with the petitioner voluntarily. The police has submitted final form in this case. It is also submitted that on account of intercaste marriage between the petitioner and the victim, he has been implicated in this case. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Madhepura (Ghailarh OP) P.S. Case No. 152 of 2020, he shall be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Sessions VI
cum Spl. Judge POCSO, Madhepura, subject to condition as laid
down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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