

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75539 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- LADANIA District- Madhubani

Nandan Kumar Mandal @ Raghunandan Mandal, aged about 25 years,
Gender-Male, Son of Ramkumar Mandal @ Sohan Mandal, Resident of
Village Gidhwas P.S. Ladaniya District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur,, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Ladaniya PS Case No. 16 of 2022 instituted for the offences
punishable under Sections 363, 366(A), 504 and 506/34 of the
Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, it is a case of
abduction of the minor grand-daughter of the informant with the
intention to marry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case due to dirty village politics.
There is no sexual assault by the petitioner. The grand daughter
of the informant in her affidavit specifically mentioned that
they developed intimacy with the petitioner leading to love



affairs between them.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, statement of the victim recorded under Section 164 of the Cr.P.C and the impugned order of the learned Additional Sessions Judge-VI-cum-Special Judge (POCSO), Madhubani dated 04.09.2023, it appears that petitioner is named in the FIR along with five persons. From perusal of Annexures-2 and 3, it appears that petitioner and the victim has already married and also duly sworn affidavit that at the time of marriage she was a major. Perusal of the Statement recorded under Sections 161 and 164 of the Cr.P.C. that the victim has stated that there is no sexual assault against the petitioner. Petitioner is in custody since 25.07.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned ADJ-VI-cum-Special Judge(POSCO), Madhubani in connection with Ladaniya PS Case No. 16 of 2022.

(Ramesh Chand Malviya, J)

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