

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2885 of 2024**

Arising Out of PS. Case No.-251 Year-2023 Thana- AMDABAD District- Katihar

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RAMAN KUMAR MANDAL SON OF WISHANDEV MANDAL
RESIDENT OF MARGHIYA, P.S. - BARARI, DISTRICT - KATIHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANKHI KUMARI D/O. LATE BAIDHNATH MANDAL RESIDENT OF
VILLAE - DEVI LAXMIPUR, P.S. - AMDABAD, DISTRICT - KATIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Suman Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 20-02-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Amdabad P.S. Case No. 251 of 2023, dated
01.10.2023 for the offences punishable under Sections 376, 420,
384, 323, 504, 34 of the Indian Penal Code and Section 66(Q),
67(A) of the I.T. Act.



4. As per prosecution case, the petitioner is alleged to have established physical relationship with the informant on the pretext of false marriage and made obscene video and threatened her to get it viral and demanded Rs. 20 Lakhs as extortion money.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent. Learned counsel further submits that as per the medical report of the victim, doctor assessed her age as 24-25 years and there is no mark of sexual intercourse on the victim. Learned counsel for the petitioner placed reliance on the judgment in the case of *Mandar Deepak Pawar Vs. State of Maharashtra & Anr. (Criminal Appeal No. 442 of 2022)* in which “a distinction was made between a false promise to marriage which is given on understanding by the maker that it will be broken and a breach of promise which is made in good faith but subsequently not fulfilled”.

6. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the



petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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. 251 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that:

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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