

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5667 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- KURSAILA District- Katihar

Raj Kumar Mandal S/O Manoj Mandal R/o Village-Gokhalitola, Rampur
Parihat, P.S. Rupauli, District Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kursela P.S. Case No. 147 of 2024, registered for the offences under Section 87 of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, petitioner kidnapped the married daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR has been lodged after delay of 12 days for which there is no satisfactory explanation as the informant claims that he came to know about petitioner kidnapping his daughter on the same day with the intention of



marrying her. Learned counsel further submits that the daughter of the informant is a major lady aged about 28 years whereas the petitioner is aged about 22 years. Charge sheet has been submitted under Section 87 of the Bharatiya Nyaya Sanhita and the petitioner is in custody since 23.08.2024 and he has antecedent of one case which was filed under Section 498A of the Indian Penal Code and under Section 3,4 of the Dowry Prohibition Act.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the victim lady in her statement recorded under Section 183 of the B.N.S.S. has stated that she was forcibly taken away by the petitioner on a motorcycle.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of allegation, period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar/concerned court, in connection with Kursela P.S. Case No. 147 of 2024, subject to the condition laid down under



Section 437(3) 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.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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