

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5427 of 2025

Arising Out of PS. Case No.-29 Year-2024 Thana- KISHANPUR District- Supaul

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Raben Mandal @ Ravi Kumar Mandal @ Rabain Mandal, Son of Maheshwar Mandal, Resident of Village- Parsa Madho, Ward No. 12, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 09-05-2025 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Kishanpur P.S. Case No. 29 of 2024, registered for the offences punishable under Sections 366A, 323, 504, 506 and 34 of the Indian Penal Code.

3. The allegation against the petitioner is of enticing away the minor daughter of the informant. When the informant came to know that the petitioner alongwith all his family members and friends in association with each other have kidnapped his daughter, FIR was lodged.

4. Learned Advocate appearing on behalf of the



petitioner contended that the alleged occurrence took place on 29.01.2024. However, the FIR came to be instituted on 04.02.2024. In fact the victim girl was a major one and she voluntarily left her house and thereafter solemnized marriage with the petitioner. It is further contended that soon after the lodging of the FIR, the victim herself surrendered before the Court below and her statement was recorded under Section 164 of the Code of Criminal Procedure, wherein she has not made any allegation against the petitioner. On the medical examination of the victim, her age has been assessed in between 16 to 18 years.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the age of the victim has been assessed as 17 years by the jurisdictional court, coupled with the fact that the petitioner has played an active role and enticed away the minor daughter of the informant and solemnized marriage.

6. Regard being had to the submissions made on behalf of the parties and considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, wherein she has not made any allegation against the petitioner of enticing away or seducing her to illicit intercourse or using



any force, coupled with the fact that the medical report suggest that the age of the victim as 16 to 18 years, as also the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate in connection with Kishanpur P.S. Case No. 29 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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