

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16277 of 2025

Arising Out of PS. Case No.-50 Year-2024 Thana- Sonki District- Darbhanga

Mithilesh Mandal @ Mithlesh Mandal S/o Satyanarayan Mandal @ Satya Narain Madal R/O Chikni Daha Tol, P.S - Sonki, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajjan Mahto S/o Mahendra Mahto R/o vill - Chikni, P.S.- Sonki, Distt.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for the
offence under Section 126(2), 96, 352, 3(5) of the BNS.

3. As per the prosecution case, it is alleged that
petitioner had kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that from perusal of the statement
recorded under Section 183 of BNSS, it appears that the victim
girl has stated that she had gone with the petitioner from her
house at about 11 P.M at her own sweet will and no one forced
her for leaving her house. He further submits that there is not
any allegation of sexual assault upon the victim girl by the



petitioner. He next submits that chargesheet has already been submitted for conclusion of the investigation. He next submits that petitioner is in custody since 17.08.2024 and has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the First Information Report, case diary and impugned order dated 28.01.2025, it appears that the victim girl has gone with the petitioner with her own sweet will which is evident from her statement recorded under Section 183 of BNSS and there is not any allegation of sexual assault upon the victim by the petitioner. So, considering all aspects of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, (POCSO Act) Darbhanga in connection with Sonki P.S. Case No.50 of 2024.

(Ramesh Chand Malviya, J)

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