

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18655 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- MAHILA PS District- Darbhanga

Vidyasagar Mandal S/o Late Upendra Prasad Mandal R/o Village- Bhachhi,
P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samtoliya Kumari D/o Laltun Sada R/o Village- Bhachhi, P.S.- Baheri,
District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Jha, Advocate

For the Opposite Party/s : Mr. Usha Kumari 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 08-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 376, 34, 366A of I.P.C. and 4, 6 of POCSO Act, 2012 and 3(1)(r), 3(1)(s), 3(2)(va), 3(1)(w) of SC/ST (POA) Act, 1989.

3. As per the prosecution case, the informant has alleged that one Munindar Mandal seduce her and he used to rape her regularly and pressurized her to solemnize marriage and even took her to Delhi on 15.05.2024 and had applied vermilion on her head and thereafter it is alleged that the said Munindar Mandal had brought her home from Delhi and



thereafter, the father of the said Munindar Mandal, namely, Vidyasagar Mandal (petitioner) along with other accused persons, abused the informant by her caste name and had beaten her and ousted her from the house.

4. Learned counsel for the petitioner submits that he has falsely been implicated merely because he happens to be the father of the accused Munindary Mandal. It has further been submitted that there is no allegation against the petitioner even from the reading of 164 Cr.P.C. statement of the victim wherein she had disclosed that she was in love affair with the son of the petitioner, namely, Munindary Mandal and had also solemnized marriage. Learned counsel next submits that the petitioner has been falsely implicated only to coerce the petitioner and others to allow her to continue staying with his son as his wife. Learned counsel has also pointed out that the victim girl was medically examined and it was found that she is between 17 to 18 years of age and there was no sign of sexual assault. It has lastly been submitted that the petitioner has clean antecedent and is in custody since 08.10.2024.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioner being the father of Munindar Mandal was fully responsible and



there is allegation of assaulting the informant and throwing her out of the house.

6. Considering the aforesaid submissions and taking into account the facts and circumstances including the 164 Cr.P.C. statement of the victim girl and also the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Darbhanga Mahila P.S. Case No. 70 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the



petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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