

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26369 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- CHAUSA District- Madhepura

Wakil Mandal S/o Late Bhaddi Mandal @ Bhadi Mandal R/o Vill.- Mahua
Dulara, Ward No.- 13, P.S.- Basanahi, Distt.- Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Anand, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Chousa P. S. Case No. 216 of 2024, dated 08-09-2024 instituted
for the offence punishable under Sections 87 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on
20.09.2024 at around 3:00 AM, the informant's wife, Manita
Kumari, left the house without informing anyone. Her husband
searched various places, but did not find his wife. During the
search, it came to light that Vakeel Mandal, along with other co-
accused, had eloped with the informant's wife. It is further
alleged that earlier also, the informant's wife had left the house
without informing anyone, leading to the registration of Chausa



Police Station Case No. 252/24, and she was subsequently recovered by the police. Earlier also, Pawan Kumar had eloped with the informant's wife, and it is alleged that he has again taken her with him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is the brother-in-law of the co-accused, Pawan Kumar. The main allegation is against co-accused Pawan Kumar who has solemnized marriage with the wife of the informant. It is further submitted that the wife of the informant herself filed an application on 11-02-2025 through her lawyer before the learned court of Additional Sessions Judge, 2nd, clearly stating that she was not kidnapped and had gone voluntarily, on her own sweet will, with co-accused Pawan Kumar and solemnized her second marriage on 22-05-2024. It is also submitted that co-accused Pabiya Devi @ Panna Devi, mother-in-law; Manik Lal Singh, father-in-law; and Rajesh Singh @ Rajesh, brother-in-law of the petitioner, are all named in the FIR and have been granted anticipatory bail by the learned court below vide order dated 04-03-2025, passed in ABA No. 1569 of 2024, which is annexed as Annexure-P/4. The petitioner, having no criminal



antecedents, has been in judicial custody since 13-11-2024. The charge sheet has already been submitted in this case.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Uda-kishunganj (Madhepura) in connection with Chousa P. S. Case No. 216 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

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