

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36496 of 2025

Arising Out of PS. Case No.-255 Year-2023 Thana- BHAWANIPUR District- Purnia

Prakash Mandal S/o Late Rajendra Mandal R/o Village- Sripur, Milik, P.S.-
Bhawanipur, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhawanipur P.S. Case No. 255 of 2023, dated 17.11.2023 registered for the offences punishable under Section 341, 323, 324, 325, 363, 366(A) and 506 of the Indian Penal Code read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, while the informant was sleeping with her mother on the same bed, at about 01:00 AM in the night, the petitioner along with other co-accused persons came at her house and forcibly kidnapped her by stuffing a piece of cloth in her mouth and took her somewhere



else then assaulted her and made her unconscious. When she regained her consciousness, she found herself at G.M.C.H., Purnea.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The present case is the counter blast of Bhawanipur P.S. Case No. 158 of 2023 lodged by the petitioner's side against the informant's side and merely to put pressure upon the petitioner's side, the present false case has been lodged. There is no eyewitness to the alleged occurrence. There is no specific allegation against the petitioner, rather there is general and omnibus allegation against all the co-accused persons including the petitioner. The victim in her statement recorded under Section 164 of the Cr.P.C. has not stated anything regarding petitioner and other co-accused persons forcing her to establish physical relationship with any of them. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 04.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submits that the petitioner and other co-accused persons kidnapped a minor girl and assaulted her.



6. Considering the aforesaid facts and circumstances of the case as well as petitioner’s period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with **Bhawanipur P.S. Case No. 255 of 2023.**

7. The application stands allowed.

(Chandra Prakash Singh, J)

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