

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46098 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- ANDHRAMATH District- Madhubani

Chandan Kumar Mandal @ Chandan Kumar S/O Sanjay Mandal @ Sanjay Kumar Mandal R/O Village- Matahi @ Mathi, PS- Andhramath, Distt- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Kumar Mandal Son of Rajelal Mandal R/O Matahi- Ward No.- 13, P.S.- Andramath, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ratnakar Jha, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP
For the Informant	:	Mrs. Madhumita Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 13-10-2025 Heard learned counsel for the petitioner, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioner seeks bail in connection with Andhramath P.S. Case No. 186 of 2024, instituted for the offences punishable under Sections 318(4), 64, 89, 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 4 and 6 of the POCSO Act.

3. The prosecution case, in short, is that the petitioner has established physical relation with informant's minor daughter on the pretext of false marriage.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is delay of two months in lodging the FIR. The petitioner has been implicated in this case due to previous enmity. It is further submitted that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. The petitioner is in custody since 20.03.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of establishing physical relation with the victim girl who is a minor. It is further submitted that the victim has supported the prosecution case in her statement recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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