

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42845 of 2025

Arising Out of PS. Case No.-2 Year-2018 Thana- GAMAHARIYA District- Madhepura

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Rabindra Mandal @ Ravendra Mandal @ Ravendra Kumar Mandal S/o
Indradeo Mandal R/o Village- Dhunha, P.S.- Gamhariya, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

Ms. Kumari Rashmi, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 18-07-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Gamhariya P.S. Case no.2 of 2018 registered under section 366A of the Indian Penal Code.

3. As per the prosecution case, the informant states that his 13 years old daughter was kidnapped by the accused persons including the petitioner herein for purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It was a case



of love affair between the petitioner and the daughter of the informant which would be evident from the contents of the statement of the victim recorded under section 164 of the Cr.P.C. (Annexure-P/2) wherein the victim has also described her age to be 19 years. Learned counsel submits that though cognizance has been taken under section 366A of the Indian Penal Code, however while considering the application for bail in the learned trial Court both the daughter of the informant as also the first wife of the petitioner were called and both agreed to live amicably. It is further stated that there is an inordinate delay of 25 days in lodging of the F.I.R. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and having perused the material on record, the Court finds that the allegation against the petitioner is of having kidnapped the minor daughter of the informant. In a case lodged in the year 2018, the application for anticipatory bail was moved in the year 2025. Further the petitioner has no explanation, in fact has accepted the allegations levelled under section 494 of the Indian



Penal Code.

7. In the facts of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

8. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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