

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46168 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- KASIMBAZAR District- Munger

Dhiran Mandal S/o Lala Mandal Resident of Village- Kasim Bazar ,
Bhramasthan, PS- Kasim Bazar, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saurabh Sinha, Advocate
For the Opposite Party/s	:	Mrs. Madhuri Lata, APP
For the Informant	:	Mr. Pawan Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Kasim Bazar P.S. Case No. 319 of 2024 registered for the offences under Sections 126(2), 115(2), 352, 351(2), 303(2) and 64 of the BNS.

3. As per prosecution case, petitioner and other co-accused abused and assaulted the informant asking her to withdraw the case filed against the petitioner. Thereafter, the petitioner hit the informant with pistol and committed rape with her.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has



ever taken place. Petitioner is having land dispute with the husband of the informant and for this reason he has been falsely implicated in this case. Petitioner is 82 years old person. Petitioner is accused in 14 cases and he has been acquitted in 10 cases and he is on bail in 4 such cases. Police after investigation submitted charge-sheet under Sections 126(2), 115(2), 352, 351(2), 303(2) and 63 of the BNS and disbelieved the allegation of rape against the petitioner. Petitioner is in custody since 23.11.2024.

5. Learned A.P.P. as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that there is specific allegation against the petitioner for committing rape with the informant and the petitioner is a habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner in the background of land dispute and also considering the age of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger/ concerned court in connection with Kasim Bazar P.S. Case No. 319 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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