

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62718 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- GAMAHARIYA District- Madhepura

Birendra Mandal @ Birendra Kumar @ Virendra Kumar S/O Mahendra Mandal @ Mahendra Narayan Mandal R/O Vill.- Jaluar, P.S.- Gamhariya, Dist.- Madhepura. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Shankar Kumar, Advocate Mr. Kumar Prabhakar, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Anil Kumar Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 28-11-2025 Heard learned counsel for the petitioner, learned counsel for the Informant and Mr. Anil Kumar Roy, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 363 and 365 of the Indian Penal Code.

3. The case of the prosecution in short is that one Rakhi Kumari was married to Subhash Mandal in the year 2016. It is further alleged that she was subjected to cruelty on account of non-fulfillment of dowry demand for which a case was filed. It is further alleged that the petitioner who is brother-in-law of Rakhi, he along with others have kidnapped her. From perusal of the FIR it is clear that the main thrust of allegation is against the husband. In the second part of the FIR informant has submitted that she



believes that the petitioner along with others have kidnapped her daughter.

4. Learned counsel for the petitioner has submitted that the petitioner is brother-in-law and he is separate from the husband of Rakhi. It has also been submitted that main thrust of allegation is against the husband who is in custody. The nature of allegation is general and omnibus. Learned counsel for the petitioner has further submitted that the petitioner is in judicial custody since 27.06.2025.

5. Mr. Anil Kumar Roy, learned counsel for the Informant has vehemently opposed the bail and has submitted that till today the victim has not been recovered.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gamhariya P.S. Case No. 35 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura.

(Ashok Kumar Pandey, J)

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