

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71671 of 2024

Arising Out of PS. Case No.-11 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

Sanjay Mandal Son of Late Hriday Mandal R/o Village- Uday Rampur, P.S. - Ghogha, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi, W/o shailendra kumar R/o vill- Fatehpur, P.S.- Industrial Area, Distt-Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

7 21-04-2025 Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bhagalpur Industrial Area P.S. Case No. 11 of 2020, registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code and subsequently added under Sections 376 120(b), 504 and 34 of the Indian of the Indian Penal Code.

3. The prosecution case in brief is that one Rubi Devi submitted a written report that on 15.02.2020, at about 10:00 AM, her daughter went to school to take her matriculation admit card, but till 04:00 PM, when she did not return, then informant searched for her daughter, but she was traceless. It is alleged



that 15 days prior to the said incident, some altercation took place between the petitioner and the informant, in which petitioner threatened the informant to teach a lesson. Informant went to the house of petitioner to search for her daughter then the wife of petitioner told her that all FIR named persons including the petitioner took away her daughter with intention to marry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in this case, wherein he has been alleged to have committed rape upon the informant's daughter. Learned counsel further submits that there is no eye-witness to the alleged occurrence, the FIR has been lodged with the delay of three days and there is admittedly a dispute with regard to some transaction of money for supply of brick. Learned counsel lastly submits that petitioner is in custody since 17.06.2024 and the possibility of the trial to conclude does not seem probable in near future.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the victim girl has supported the prosecution story in both her Cr.PCs statements i.e., 164 Cr.PC



as well as 161 Cr.PC statements. Learned counsel further submits that from perusal of the medical examination report, it is clear that the victim is between the age of 14 to 16 years. It is further stated that the prosecution shall not cause any delay in the trial of the said case and thus it is expedient that the trial court shall complete the evidence of the prosecution witnesses within three months from today and thereafter conclude the trial within the aforesaid period as stated in the report.

6. Taking the aforesaid submissions into consideration, I am not inclined to grant the petitioner privilege of regular bail at present.

7. However, as from the perusal of the report, which the learned trial court has sent, stating therein that it would be another three months to conclude the trial of the case.

8. The learned trial court is expected to expedite the trial of the case and try to conclude the same within the aforesaid period.

9. The application is therefore dismissed.

(Sourendra Pandey, J)

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