

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71935 of 2024

Arising Out of PS. Case No.-205 Year-2024 Thana- MURLIGANJ District- Madhepura

Suman Kumar, Son of Gajendra Mandal @ Rajendra Mandal, R/o village-
Bhatkhoda, Ward no. 1, P.S.- Murliganj, Dist- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gayatri Devi, Wife of Dilip Mandal, R/o village- Borarahi, Ward no. 3, P.S-
Janki Nagar, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 28-01-2025 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with
Murliganj P.S. Case No. 205 of 2024 instituted for the offence
under Sections 363, 366A, 326, 307, 376, 511/34 of the Indian
Penal Code and Section 8/12 of the POCSO Act and subsequently
Section 302 of the I.P.C. has been added.

3. The case of the prosecution is that on 10.05.2024 at
8.00 A.M., the minor daughter of the informant went for her
nomination at K.P. College situated at Murliganj. In the way, the
petitioner along with others took her to the house of Lalan Mandal.
Suman Kumar locked her in a room, attempted to commit rape.
When he was unable to commit rape, he attempted to kill her



through electric current. After this, he also threw hot water and ultimately threw her on the station considering dead. Due to above burn injury, she died during treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.07.2024

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that in this case, the victim has given her statement in para 15 of the case diary and she has stated that she has gone for registration in Intermediate in K.P. College, Murliganj. As she reached near Cinema Chowk, Suman Kumar and his brother-in-law Lalan Mandal came near her and took her to the house of Lalan Mandal. At the house, all the sisters of Suman Kumar were there and their husbands were also there. All of them started assaulting the victim. She has further stated that Suman Kumar was having affair outside marriage with her and she was on talking terms with him. He was also willing to marry with her but his family members were not liking his marriage with the victim. She has further stated that she got unconscious due to the beating. She



has further stated that she did not know as to how she was burnt. From the statement of the victim, it is clear that it is the petitioner who took her to the house of Lalan Mandal where she was badly assaulted by his family members and she was also received burn injury. The role of the petitioner is very much prominent in the entire act.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. Petitioner is at liberty to renew his prayer for bail after six months, if the trial is not concluded.

(Ashok Kumar Pandey, J)

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