

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74712 of 2024

Arising Out of PS. Case No.-293 Year-2018 Thana- FALKA District- Katihar

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Amardeep Mandal @ Gagan Mandal @ Amardeep Kumar Son of Late
Birendra Kumar Mandal Resident of Village - Naraihiya, P.S. - Falka, District
- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi Daughter of Late Bunni Sah Resident of Village - Naraihiya, P.S.
- Falka (Pothia), District - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-01-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Falka P.S. Case No.293 of 2018 under Sections 376 and 493 of the Indian Penal Code and later on, Sections 498A and 494 of the I.P.C.

3. As per the prosecution, the FIR has been lodged against the petitioner against whom there is allegation that he allured the informant and make physical relationship in the name of marriage and then denied the same.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that though the case has been lodged under sections 376 and 493 of the I.P.C., but during investigation, the police has submitted chargesheet of sections 498A and 494 of the I.P.C. and Court has taken cognizance in the same.

5. Learned Counsel further submits that antecedent of the petitioner is not clean. There is one criminal case pending against him which was filed by the same informant.

6. Learned Counsel also submits that vide Annexure-P2 of the bail petition, it has come that cognizance has been taken under sections 498A and 494 of the I.P.C. He further submits that the informant has further filed maintenance case and petitioner has annexed document vide annexure-P6 of the bail petition showing that the informant is a married lady and wife of one Kailash Sah.

7. Learned APP for the State opposes the prayer for bail.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount



each to the satisfaction of A.C.J.M.-V, Katihar, in connection with Falka P.S. Case No.293 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

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