

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83788 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- BARARI District- Bhagalpur

Som Kumar Mandal @ Som Suraj S/O Sanjiv Kumar Mandal @ Sanjiv Mandal Resident of village-Tadwa Dulduliya P.S.- Pirpanti, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Devi Wife of Ranjeet Kumar Mandal R/o Village-Gol Sadak, P.S.- Ghogha District-Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 05-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137(2), 96, 352 and 3(5) of the BNS but charge sheet has been submitted under sections 137(2), 96 and 352 of the BNS and Sections 8 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant was kidnapped by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During the course of investigation, the victim has given her statement under Sections 161 and 164 of the Cr.P.C. wherein she stated that her mother was



having illicit relation with many male persons due to that she has gone with this petitioner to Gujarat and she has not stated anything regarding sexual assault by the petitioner with her. Even the father of the victim has given his statement under section 161 of the of the Cr.P.C. wherein he has stated that the victim has gone with this petitioner due to the ill behaviour of her mother. Moreover, the petitioner is languishing in judicial custody since 13.09.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

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 Barari P.S. Case No. 86 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI cum-Exclusive Special Jude POCSO Bhagalpur.

(Ashok Kumar Pandey, J)

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