

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2516 of 2026

Arising Out of PS. Case No.-265 Year-2025 Thana- SUPAUL District- Supaul

Mithilesh Kumar S/O Rajendra Mandal @ Chichay Mandal R/O Vina Tola,
Andauli, Ward No. 9, P.S. and Dist.- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Runaki Devi W/O Radheshyam Mandal R/O Vina Tola, Andauli, Ward No. 8, P.S. and Dist.- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 76, 352, 351(2) and 3(5) of the BNS as well as Sections 8 and 12 of the POCSO Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that her daughter on 03.05.2025, at 07:00 p.m., had gone to attend the call of nature when she was intercepted by the petitioner and Nitish on point of knife and pistol and they took her to the cattle shed of Ram Kishore and Nitish unveiled her with an intention to commit rape. On alarm, villagers gathered



when accused fled away. Further, the victim came to the house of Dev Narayan who gave clothes to the victim seeing her unveiled.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 03.05.2025 and the FIR came to be instituted on 28.05.2025, i.e., after a delay of more than twenty-five days which casts an aspersion on the case of the prosecution. It is next submitted that Nitish Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 80554 of 2025 and the same came to be allowed by an order dated 11.12.2025. It is also submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two



sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Supaul P.S. Case No. 265 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. One of the bailors of the petitioner shall be his father, namely, Rajendra Mandal @ Chichay Mandal.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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