

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2587 of 2026

Arising Out of PS. Case No.-39 Year-2025 Thana- MAHILA P.S. District- Banka

Vikash Kumar Mandal @ Vikky Mandal, Son of Bibhishan Mandal R/o
Village- Vijaynagar, P.S.- Banka, District- Banka. Petitioner/s
Versus

1. The State of Bihar.
2. X D/o xxx Y, R/o Village- Vijaynagar, P.S.- Banka, District- Banka.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balkrishna Mishra, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2026 Heard learned counsel appearing on
behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner apprehending his
arrest in connection with Banka (Mahila) P.S. Case
No. 39 of 2025 registered for the offences
punishable under Section 65(1) of BNS and Section
4 of POCSO Act.

3. The allegation against the petitioner is
to kidnap the informant, who on the date of
occurrence about 16 years alongwith other co-
accused persons for the purpose of illicit
intercourse/marriage with another person.

4. It is submitted by learned counsel



appearing on behalf of the petitioner that thrust of allegation is available against co-accused, Nitish Kumar and as the petitioner was the driver of the hire vehicle, he was implicated with present case. It is submitted that after investigation taking note of aforesaid fact, the closure report *qua* petitioner was submitted but the learned jurisdictional magistrate taking a different view took cognizance against the petitioner. It is submitted that the matter between the informant and main co-accused, Nitish Kumar also appears compromised in view of annexure-4. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as police after investigation submitted closure report *qua* petitioner coupled with the fact that dispute between informant and main co-accused also appears compromised, where petitioner is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender



before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-6 cum Special Judge, POCSO, Banka/concerned Court, where the case is pending in connection with Banka (Mahila) P.S. Case No. 39 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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