

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80282 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- SUPAUL District- Supaul

Dilkhush Mandal S/O Bachchalal Mandal @ Bachhulal Mandal Resident of
Village- Nirmali, Tola- Bela Tol, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/O Vill.- Bisanpur, Ward
No.- 02, P.S. and Dist.- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 04-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Supaul P.S. Case No. 62 of 2025 instituted for the offence under Sections 126(2), 127(2), 137(2), 76, 65(1), 61(1) 61(2), 303(2) and 3(5) of BNS and Section 8 of the POCSO Act and Section 67(A) of I.T. Act.

3. The case of the prosecution is that the minor daughter of the informant has kidnapped by the petitioner and others.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has further



submitted that from perusal of the complaint petition, it is clear that the occurrence is of 01.07.2024 whereas this complaint has been filed on 12.12.2024 with a delay of more than five months. It has further been submitted that as per the case of the prosecution, the victim was kept for five months at Madras but she has not raised any alarm. It has further been submitted that from perusal of the medical report, it transpires that the victim is aged about 18-20 years and no positive finding regarding rape was found. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 28.03.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that from perusal of the complaint petition itself, it is clear that the delay is well explained by the prosecution and from perusal of the medical report also, it is clear that the doctor has found hymen torn at 3 O' clock, 6 O' clock and 9 O' clock position and lax all through which goes to show that the victim was subjected to regular sexual intercourse. During course of investigation, the victim has also stated that the petitioner is having three kids.

6. Having heard the learned counsel for the parties



and considering the facts and circumstances of this case as stated above, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

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

8. Learned trial court is directed to conclude the trial within six months.

(Ashok Kumar Pandey, J)

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