

Present: Sandeep Mishra
In the court of District and Additional Sessions Judge-I, Katihar
Bail Application 394 of 2026
(Arising out of Katihar Town(Sahayak) P.S.case No. 342 of 2026)
Mangal Prasad Sah versus State

1. Mangal Prasad Sah, aged 21 years, son of Vishnu Sah, resident of Sugwal Manpur, P.S.- Baisi, District- Purnea.

... Petitioner

versus

The State of Bihar

... Opposite party.

Date	Order	Remark
24.04.2026	1. This is an application for grant of regular bail filed on behalf of the accused-petitioner namely Mangal Prasad Sah who is in custody since 24.03.2026 in connection with Katihar Town (Sahayak) PS Case no. 342 of 2026 registered under sections 64(1), 79 of Bhartiya Nyaya Sanhita and under section 66(e) of Information and Technology Act. 2. The victim herself is the informant of this case. According to the First Information Report, case of the prosecution is that one Imran Astamiya and Mangal Prasad Sah(petitioner herein) established friendship with the victim and called her in a hotel where physical relation was established with her. They also prepared photo and video. While the victim was in the state of intoxication, physical relation was established with her and thereafter, the accused persons gave threatening to the victim to viral her video and photo. Thereafter, photo and video were also sent to the parents of the victim. The accused persons are torturing the victim for the last 7 months and they also threatened to kill her. Further, case of the informant is that on account of mental torture, she wants to commit suicide. 3. It has been submitted on behalf of the	

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<u>continued</u> 24.04.2026	petitioner that no bail application either anticipatory or regular has been filed on behalf of the petitioner in this case earlier either before this court or before the Hon'ble High Court Patna. The petitioner has got no criminal antecedent. The petitioner is quite innocent and he has committed no offence at all. The allegations levelled against the petitioner are false and concocted. The petitioner has been falsely been implicated in this case due to mere suspicion of the informant. From the perusal of the written application which is the basis of this case, it is found that there is no specific allegation against the petitioner and there is no specific date and time of occurrence. Further more, the informant is the consented party of the alleged occurrence. The petitioner is relative of the informant and both were known to each other. In the mean while the informant called the petitioner who is resident of Sugwa Mahanandpur PS Baisi, District Purnea at a distance of about 55 km away from the alleged place of occurrence and the informant proposed him to solemnized marriage and the petitioner accepted her proposal for marriage but he was extending the date of marriage in order to take consent of his parents on account of which the informant instituted this false case with completely false allegation. The petitioner is still ready to solemnize marriage with the informant in accordance with Hindu rites and custom. On the aforesaid grounds, prayer has been made to enlarge the petitioner on regular bail.	
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4. On the other hand, the learned APP has opposed the prayer of the petitioner for grant of bail and submitted that according to the First Information Report, there are heinous allegations against the petitioner of establishing physical relationship with her against her consent and of preparing video and photo and also of giving threatening to the informant of viralling the said video and photo and further the petitioner also sent the photo and video to the parents of the victim. The investigation is still going on. Therefore, the petitioner is not entitled to be granted the privilege of regular bail.

5. Heard the parties and perused the record. The record of this case being Katihar Town PS Case no.342 of 2026 has been received from the Learned Court concerned. In the aforesaid record, statements of the victim recorded under section 180 of Bhartiya Nagrik Suraksha Sanhita and under section 183 of Bhartiya Nagrik Suraksha Sanhita are there. So far as the criminal antecedent of the petitioner is concerned, same has not been furnished on behalf prosecution. However, in paragraph no. 3 of this regular bail application, it has been mentioned that the petitioner has got no criminal antecedent.

According to the First Information Report, allegations against the petitioner are that he along with the co-accused established relation with the victim and called her in a hotel where in the state of intoxication, he along with co-accused established physical relation

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<u>continued</u> 24.04.2026	with her and also prepared her photo and video and sent to the parents of the victim. Further, the petitioner along with the co-accused are also threatening the victim to kill her. However, from the perusal of the statement of the victim recorded under section 180 of Bhartiya Nagrik Suraksha Sanhita, it transpires that she has stated therein that the occurrence has been committed by the co-accused namely Imran Astamiya and said Imran Astamiya had called the victim as well as this petitioner who is also the friend of the victim and said Imran Astamiya had threatened the victim not to talk with this petitioner otherwise he would viral the photographs of the victim. In the aforesaid statement, the victim has alleged nothing against this petitioner. Almost, similar is the statement of the victim under section 183 of Bhartiya Nagrik Suraksha Sanhita in which also she has alleged nothing against this petitioner rather she has alleged against the co-accused namely Imran Astamiya. The petitioner is in custody since 24.03.2026. 6. Considering the aforesaid statements of the victim under sections 180 and 183 of Bhartiya Nagrik Suraksha Sanhita in which, she has alleged nothing against this petitioner and also the fact that the petitioner is in custody since 24.03.2026, this court is inclined to enlarge the petitioner on regular bail. 7. Accordingly, the prayer of the petitioner namely Mangal Prasad Sah for grant of regular bail in
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<u>continued</u> 24.04.2026	connection with Katihar Town PS case no. 342 of 2026 is hereby allowed. The petitioner namely Mangal Prasad Sah is hereby directed to be enlarged on regular bail in connection with Katihar Town(Sahayak) PS case no. 342 of 2026 on his furnishing bail-bond of Rs. 10,000/- with two sureties of the like amount each subject to the satisfaction of the learned court concerned where this case being Katihar Town(Sahayak) PS case no. 342 of 2026 is pending. One of the sureties of the petitioner will be the close relative of the petitioner and the petitioner will also furnish an undertaking that they will co-operate in the investigation and also during trial. Further, the petitioner will also furnish an undertaking that he will marry the informant if the informant is ready to marry with him as undertaken by the petitioner in ground no, (F) of the grounds of this bail - application. Sd/- (Sandeep Mishra) District and Additional Sessions Judge-I Katihar 24.04.2026	
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