

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3894 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -BELDAUR District- KHAGARIA

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Chano Mandal @ Chandra Kishore Mandal Son of Ghutar Mandal,
Resident of Village - Akania, P.S. Mansi, District - Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. B.M.P.Sinha , APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 17-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Beldaur
P.S. Case No. 125 of 2015 registered for the offences punishable
under Section 397 of the Indian Penal Code and Section 27 of the
Arms Act.

The petitioner is not named in the First Information
Report. As submitted, as per disclosure made by spy of the
police, the petitioner was apprehended on 16.07.2015 but he has
not been put on T.I.P. The two mobiles recovered from the
possession of the petitioner, belong to the petitioner and not
looted one, the police got recorded the confessional statement of
the petitioner forcibly and photo of the petitioner is alleged to

have been identified by the informant and other witnesses vide para 175 of the case diary which appears not reliable and as such, the petitioner deserves sympathetic consideration, to which the learned APP opposes by submitting that the informant and other witnesses have identified the petitioner after seeing his photo.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Khagaria in connection with Beldaur P.S. Case No. 125 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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