

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14654 of 2016

Arising Out of PS.Case No. -57 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

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Pankaj Mandal, Son of Saudagar Mandal, resident of Village- Sitarampur,
PS-Sultangunj, District-Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Bharat Lal, APP.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-05-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Sultangunj P.S. Case No. 57 of 2015 registered for the offences
punishable under Sections 386, 387, 379/34 and 414 of the Indian
Penal Code.

Allegedly, on the basis of photographs of suspected
criminals available at the police station, the petitioner and other
co-accused are named in the first information report with
allegation that they have taken away Tata Sumo Gold vehicle
which was being driven by the informant after assaulting him.

Submission is of false implication and that the
looted Sumo vehicle with arms and cartridges were recovered
from Raghapur Bindtoli from the house of Nago Mahto and the

petitioner was not knowing and he has gone there resulting he was also caught. Confessional statement made by co-accused Gautam Yadav and other co-accused have got no evidentiary value in the eye of law. The petitioner without legal and tangible material is suffering in custody since 22.04.2015 and have been sufficiently penalized. He has not been put on T.I.P.

The learned A.P.P opposes the prayer of the bail by submitting that the petitioner and Gautam Yadav were apprehended in the house of Nago Mahto from where looted Sumo vehicle was recovered.

In the facts and circumstances stated above, considering the detention of the petitioner and further charge sheet has already been submitted and there is no chance of tampering with prosecution evidence and, as such, 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 Chief Judicial Magistrate, Bhagalpur in connection with Sultangunj P.S. Case No. 57 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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