

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21946 of 2016

Arising Out of PS.Case No. -673 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Pawan Kumar Mandal @ Pawan Kumar @ Pawan Mandal Son of Baidh
Nath Mandal @ Baij Nath Mandal, Resident of Mohall- Barari Feri Road,
P.S.- Barari District- Bhagalpur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 23-05-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwali
P.S. Case No. 673 of 2015 registered for the offences punishable
under Sections 379 and 411 of the Indian Penal Code.

Allegedly, tempo bearing Registration No. BR-10PA-
4656 of the informant was stolen away and during investigation
the informant and his men caught the petitioner with stolen tempo
and handed over him to the police.

Submission is of false implication and that the
petitioner is also bona fide owner of the tempo bearing
Registration No. BR-10PA-4656 and he has got valid driving
license bearing License No. 3926 of 2005, he has got no criminal
antecedent and due to business rivalry, the informant and his men

falsely implicated the petitioner after assaulting him and, as such, the petitioner who is suffering in custody since 20.10.2015, deserves sympathetic consideration.

The learned APP submits that the informant caught the petitioner with stolen tempo.

In the facts and circumstances stated above, considering the detention of the petitioner and further that chargesheet has already been submitted and there is no chance of tampering with the 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 CJM, Bhagalpur in connection with Kotwali P.S. Case No. 673 of 2015 subject to the conditions that one of the bailors must be 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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