

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5487 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -SULTANGANJ District- BHAGALPUR

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Shushil Kumar Mandal @ Shuhil Mandal @ Shushil Mandal @ Shahil,
Son of Umesh Mandal, Resident of Village- Ganeshpur Tinpuliya, P.S.
Jagdishpur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Janki Nandan Prasad, Advocate

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 17.08.2016 in connection with Sultanganj P.S. Case No. 105 of 2016 for the offences alleged under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and only on the basis of extra judicial confessional statement of co-accused Vikash Kumar. No recovery of any incriminating articles has been made from the possession of the petitioner nor any test identification parade has been conducted. Statement is made at the Bar that the petitioner is on bail in respect of all the four other cases in which he has been made accused. The petitioner has already suffered custody for more than six months.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction



of learned Additional Chief Judicial Magistrate, Bhagalpur, in connection with Sultanganj P.S. Case No. 105 of 2016, on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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