

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8892 of 2017**

Arising Out of PS.Case No. -540 Year- 2016 Thana -BHAGALPUR KOTWALI District-  
BHAGALPUR

=====

Shankar Mandal Son of Late Rameshwar Mandal resident of Village  
Khutahari Kali Tola Ward No. 3, P.S.Kahalgaon, District Bhagalpur.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance:**

For the Petitioner : Mr. Satyendra Kumar Bhatnagar, Adv

For the Opposite Party : APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      23-02-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is in custody since 10.10.2016 in  
connection with Kotwali (Adampur) P.S. Case No. 540 of 2016 for  
the alleged offences under Sections 384, 385/34 of the Indian Penal  
Code.

3. It is submitted that the petitioner has been falsely  
implicated and in fact no money has passed hands. Similarly  
situated co-accused Md. Istekar @ Md. Afsar @ Md. Iftakar @ Md.  
Afsaar has been granted bail by this Court in Cr. Misc. No. 55359 of  
2016. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and  
circumstances of the case as well as the period of custody since



10.10.2016 already suffered, 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 Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Adampur) P.S. Case No. 540 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 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.

(iv) 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.

**(Vikash Jain, J)**

Chandran/BT

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